

October 1<sup>st</sup>, 2016

**SUBMITTED ELECTRONICALLY VIA ECFS**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW Washington, DC 20554

FCC Docket 02-6

Re: Appeal of Bluejacket Public Schools (BEN: 140130), for denial of FY  
2014 Application 944742 FRN 2573035

Pursuant to 47 C.F.R. § 54.719(a), Bluejacket hereby respectfully submits this appeal of decisions by the Universal Service Administrative Company (USAC) to deny FRN 2573035 for Funding Year 2014.

Contact:

Chris Webber  
CRW Consulting  
P.O. Box 701713  
Tulsa, OK 74170-1713  
[chris@crwconsulting.com](mailto:chris@crwconsulting.com)  
918.445.0048  
Consultant for Bluejacket

The reason for denial:

*“The FRN is denied because you did not select the most cost-effective bid proposal. FCC rules state that in selecting a provider of eligible services, applicants must carefully consider all bids submitted and must select the most cost-effective service offering. The FCC codified in the Ysleta Order, that in evaluating bids from prospective service providers, applicants must select the most cost-effective offering from the bids received. The selected bid must itself be cost-effective compared to the prices available commercially and stated that ‘there may be situations where the price of services is so exorbitant that it cannot, on its face, be cost-effective. For instance, a proposal to sell at prices two to three times greater than the prices available from commercial vendors would not be cost effective, absent extenuating circumstances.’”*

Signed:

\_\_\_\_\_/s/

Chris Webber  
Owner  
CRW Consulting LLC  
PO Box 701713  
Tulsa, OK 74170  
918.445.0048  
chris@crwconsulting.com

## **I. INTRODUCTION**

Bluejacket Public Schools (Bluejacket or the District) hereby respectfully requests that the Universal Service Administrative Company (USAC) reverse its decision to deny Schools and Libraries (E-rate) universal service funding to Bluejacket for its FRN 2573035 on 471 Application Number 944742 for Funding Year 2014.

USAC denied the District's request for funding because USAC claims that the District did not select the most cost-effective bidder to provide its Internet access services. To the contrary, as the discussion below will explain, the District satisfied all of the program's competitive bidding rules and selected the most cost-effective services, when it considered price and its other evaluation criteria. USAC's use of a bright-line standard is contrary to Commission precedent stating no such bright-line test exists, and, regardless, *Ysleta* is not applicable here.

Upholding the denials of these applications will preclude a fair and open competitive bidding process in which all bids are fairly evaluated, render the competitive bidding process meaningless and will force schools to select a lower-cost bid, even if not the most cost-effective, contrary to program rules – and possibly their own competitive bidding requirements. For practical purposes, this ruling by USAC will make price the only factor that matters in the E-rate competitive bidding process. That will result in many applicants selecting services that do not provide the best value for them or, therefore, the E-rate program. Such an outcome would not serve the E-rate program or statutory goals. Thus, we respectfully ask USAC to reverse its decision and grant funding to the District for the funding request at issue.

## II. BACKGROUND

Bluejacket is a small, rural school district in northeastern Oklahoma. The District has approximately 215 students enrolled. The district has no IT person on staff.<sup>1</sup>

For Funding Year 2014 the District filed a 470 requesting bids for Internet access and other unrelated services.<sup>2</sup> The District also released an Invitation for Competitive Bids (IFCB – also known as a Request for Proposal or RFP) on October 10<sup>th</sup>, 2013.<sup>3</sup> Included in this RFP were requests for Internet access and other unrelated services.

The District received three bids for the Internet access portion of the RFP: Meet Point Networks, RECtec and OneNet.<sup>4</sup> The District also decided to evaluate their current pricing with AT&T as part of the bid evaluation process. After carefully evaluating the bids received, the District selected Meet Point Networks to provide their Internet access under a multi-year contract.<sup>5</sup>

On May 20<sup>th</sup>, 2016 USAC issued a Notification of Commitment Adjustment Letter that denied the funding request for Meet Point services on FRN 2573035.<sup>6</sup> The reason for the denial states:

*“The FRN is denied because you did not select the most cost-effective bid proposal. FCC rules state that in selecting a provider of eligible services, applicants must carefully consider all bids submitted and must select the most cost-effective service offering. The FCC codified in the Ysleta Order, that in evaluating bids from prospective service providers, applicants must select the most cost-effective offering from the bids received. The selected bid must itself be cost-effective compared to the prices available commercially and stated that ‘there may be situations where the price of services is so exorbitant that it cannot, on its face, be cost-effective. For instance, a*

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<sup>1</sup> Affidavit of Shellie Baker, paragraph 5

<sup>2</sup> FCC Form 470 # 839690001150321 (FY 2014 Form 470).

<sup>3</sup> FY 2014 RFP, Exhibit 1.

<sup>4</sup> See Exhibit 2, Bids Received.

<sup>5</sup> FCC Form 471 # 944742, Exhibit 3. The services also include 24 x 7 troubleshooting and repair, onsite visits to restore Internet access, firewall services, and email and web hosting.

<sup>6</sup> Exhibit 4, Notification of Commitment Adjustment Letter, dated 5/20/2016.

*proposal to sell at prices two to three times greater than the prices available from commercial vendors would not be cost effective, absent extenuating circumstances.”*

Bluejacket received USAC Appeal Denial Letter for 2014 on August 5, 2016.<sup>7</sup>

By this letter, the District appeals USAC’s decision to rescind its funding commitments. Commission rules allow 60 days for the filing of an appeal to the FCC.<sup>8</sup> Because this appeal is filed within 60 days of USAC’s decision, it is timely filed.

### **III. BECAUSE BLUEJACKET SELECTED THE MOST COST-EFFECTIVE SERVICES, ITS E-RATE APPLICATION FOR FY 2014 SHOULD BE RE-INSTATED**

Federal Communications Commission rules require applicants to seek competitive bids for all services and equipment eligible for E-rate discounts.<sup>9</sup> Applicants are required to “carefully consider all bids submitted” and to select “the most cost-effective service offering” using the price of eligible goods and services as the primary factor.<sup>10</sup> Under section 54.511(a) of the Commission’s rules, an applicant “may consider relevant factors other than the pre-discount prices” submitted by providers to determine which service offering is the most cost-effective, so long as price is the primary factor considered.<sup>11</sup>

The Commission’s *Tennessee Order* ruled there is a presumption of cost-effectiveness when the applicant meets all of the requirements of the competitive bidding process and when

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<sup>7</sup> Administrator’s Decision Letters for 2014, Exhibit 5.

<sup>8</sup> 47 C.F.R. § 54.719(a); 47 C.F.R. § 54.720(b).

<sup>9</sup> See 47 C.F.R. § 54.503(a)-(b) (2014). See also *In the Matter of Fed.-State Joint Bd. on Universal Service*, CC Docket No. 96-45, Report and Order, FCC 97-157 at ¶ 480 (1997) (*First Universal Service Order*) (finding that “fiscal responsibility compels us to require that eligible schools and libraries seek competitive bids for all services eligible for [E-rate] discounts.”).

<sup>10</sup> *Id.* at § 54.511(a) (2012) and (2014). See also 47 C.F.R. §§ 54.503(c)(2)(vii), 54.504(a)(1)(xi) (2012) (requiring applicants to certify on FCC Forms 470 and 471 respectively that the most cost-effective bid will be or was selected).

<sup>11</sup> 47 C.F.R. § 54.511(a).

the applicant pays its share of the costs.<sup>12</sup> Nevertheless, USAC alleges that the District did not select the most cost-effective service offering. USAC claims that the District's selection of services that cost more than two times another bid violates the Commission's directive in *Ysleta*.<sup>13</sup> The "standard" used by USAC, however, has never been adopted by the Commission as a bright-line standard for cost-effectiveness. USAC is also applying this standard to compare bids that provide different service components (that are eligible). Further, the dicta in *Ysleta* is not applicable to this case.

**A. Bluejacket Followed E-rate Competitive Bidding Rules to Select the Most Cost-Effective Bid, Contrary to USAC's Allegations.**

In the *Universal Service Order* establishing the E-rate program, the Commission agreed with the recommendation of the Federal-State Joint Board on Universal Service that schools and libraries should not be required to choose the lowest-priced service but instead should be allowed the "'maximum flexibility' to take service quality into account and to choose the offering or offerings that meets their needs 'most effectively and efficiently.'"<sup>14</sup> In the *Second Report and Order*, the Commission codified the requirement that price must be the primary factor when applicants analyze bids they have received.<sup>15</sup>

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<sup>12</sup> *Tennessee Order* at ¶¶ 9-12 .

<sup>13</sup> See Funding Commitment Decision Letter; *Request for Review of the Decision of the Universal Service Administrator by Ysleta Independent School District El Paso, Texas, et al.*, Order, FCC 03-313, 18 FCC Rcd 26407, n. 138 (2003) (*Ysleta Order*).

<sup>14</sup> *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, at ¶ 481 (1997) (*Universal Service Order*) (quoting the Joint Board's recommendation).

<sup>15</sup> See *Schools and Libraries Universal Support Mechanism*, CC Docket No. 02-6, Second Report and Order and Further Notice of Proposed Rulemaking, 18 FCC Rcd 9202, FCC 03-101 (2003) (codifying 47 C.F.R. §54.511(a)) (*Second Report and Order*); see also *School and Libraries Universal Support Mechanism*, CC Docket No. 02-6, Fifth Report and Order and Order, 19 FCC Rcd 15808 (2004) (codifying 47 C.F.R. § 54.504(b)(2)(vii) and 47 C.F.R. § 54.504(c)(1)(xi)) (*Fifth Report and Order*).

Significantly, the Commission's rules have never required schools and libraries to select a provider offering a lower price, even among bids for comparable service.<sup>16</sup> Given that price, as a category, only has to be weighted one point higher than any other category,<sup>17</sup> however, it is quite likely that a vendor could be awarded fewer points in the cost category yet still win the bid based on points earned in the technical (non-price) categories. In fact, the Commission has stated repeatedly that price cannot be the only factor for the obvious reason that "price cannot be properly evaluated without consideration of what is being offered."<sup>18</sup>

The District met the Commission's requirements by giving more weight to price than to any other factor it used in the selection process and by appropriately awarding points in the other non-cost factors. The bid evaluation sheets used by the District allotted a maximum of 25 points for the price of eligible goods and services.<sup>19</sup> The other categories – service history, expertise of company, understanding of needs/completeness of bids, and the location of the company – all had maximum points of 20 or fewer.<sup>20</sup>

In addition to the price category, as described above, Bluejacket evaluated bidders based on service history; the expertise of the company; understanding of the district's needs/completeness of bids; and the location of the company. In the bid evaluation process for FY 2014, OneNet received 80 points, AT&T received 64, RecTec received 78 and Meet Point

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<sup>16</sup> *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9029, para. 481 (1997) (subsequent history omitted) (*Universal Service Order*). See also *Tennessee Order* at ¶ 9 ("Even among bids for comparable services, however, this does not mean that the lowest bid must be selected.").

<sup>17</sup> If, for example, a school assigns 10 points to reputation and 10 points to past experience, the school would be required to assign at least 11 points to price. See *Ysleta Order* at ¶ 50, n. 138.

<sup>18</sup> *Tennessee Order* at ¶ 8.

<sup>19</sup> Bid Evaluation Sheets, Exhibit 6.

<sup>20</sup> *Id.*

received 95 points.<sup>21</sup> Meet Point earned the most points for the location, service history, expertise of the company, and understanding the needs/completeness of bids categories, AT&T, as the low bidder received the most points for price of eligible goods and services.<sup>22</sup>

Location is important to Bluejacket because it is an indicator of responsiveness if issues with the service arise. Meet Point is located in Bixby, Oklahoma, approximately an hour and half away from Bluejacket, Oklahoma (88 miles). OneNet is located twice as far away in Oklahoma City (185 miles). Bluejacket decided to award more points for the service provider that is closest to the District, as it has experienced more timely restoration of services from a provider with closer offices.

Most importantly, Bluejacket considered the quality of service, as the Commission explicitly recognized in *Tennessee*, and selected the bid that met its needs “most effectively and efficiently.”<sup>23</sup> To meet the needs of its students and teachers, Bluejacket required an Internet access service that provided strong network security.<sup>24</sup> Meet Point offered services that neither OneNet nor AT&T included in their bid – specifically firewall services and onsite tech support.<sup>25</sup> Additionally, Meet Point received additional points for their direct line of communication – when issues arose with Meet Point the school had the cell phone numbers for the principals in the company.<sup>26</sup> These services and the direct line of communication are especially important to a school district that had no full time IT staff. Bluejacket felt that it was essential that it had a

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<sup>21</sup> *Id.*

<sup>22</sup> *Id.*

<sup>23</sup> *Tennessee Order* at ¶ 9

<sup>24</sup> Baker Aff., ¶ 9 (iv)

<sup>25</sup> Baker Aff. ¶ 15

<sup>26</sup> *Id.*



company that could resolve any issues in the most expeditious manner possible.<sup>27</sup> It was not beneficial for the district to have a service that required a lot of staff time in the restoration process. When the Internet is down, the teacher cannot skip a lesson or wait until next week when the Internet is working again. Every minute of classroom time is valuable, especially with the demands upon the education system today. Similarly, online testing cannot be pushed to a different time. Therefore, service quality (and the ability to quickly restore that service) is an essential component of the selection process.

Meet Point received higher scores in the non-price categories based upon the District's direct experience with the people that ran Meet Point in previous funding years – the school described Meet Point's services as "above and beyond."<sup>28</sup> The staff at Meet Point had been responsible for initiation of the Internet services; configuration of the router; determining the cause of any issues with the services and resolving those issues; and the configuration, administration and issue-resolution of email services. Their work ethic demonstrated a commitment to providing the best services for the District. In addition, Meet Point's technical expertise far exceeded that of other companies. As Ms. Baker noted, "We have a history with Meet Point and trust their service and the after the sale service that has always been provided."<sup>29</sup> The District notes: "We knew that if we had any troubles along the way, they would be there to assist no matter the size of the problem."<sup>30</sup> As the Commission has noted, "[A] school should have the flexibility to select different levels of services, to the extent such flexibility is consistent with that school's technology plan and ability to pay for such services."<sup>31</sup> The quality of service

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<sup>27</sup> Baker Aff., ¶ 9 (v)

<sup>28</sup> Baker Aff. ¶ 15

<sup>29</sup> Baker Aff. ¶ 8

<sup>30</sup> Baker Aff., ¶ 15

<sup>31</sup> *Tennessee*, Para. 9

and responsiveness when problems arise are especially important to small districts that have no on hand employees for their IT needs.

In contrast, OneNet received lower point awards in the non-price categories. Bluejacket had heard from multiple OneNet customers that they were not happy with OneNet's service.<sup>32</sup> In fact, in 2011 OneNet sponsored a K12 conference in OK – *NetPotential* 2011. During this conference, Von Royal, the Executive Director and CIO of OneNet admitted they had problems with their network, and that they were “not pleased with all the levels of service we were providing, so we undertook a major upgrade.”<sup>33</sup> The word in the K12 community at that time was that OneNet was oversubscribed (meaning you could order a 100 Mb circuit and only get a portion of that bandwidth) – as Wes Fryer, a respected K12 technology advocate in Oklahoma, writes: “OneNet has historically over-subscribed its k-12 educational network when it comes to bandwidth.”<sup>34</sup> OneNet themselves admitted that their network had not been performing to the standards they would have liked. This was common knowledge in the Oklahoma K12 community at the time.

In addition, OneNet's bid was deficient for Bluejacket's needs. Because the district has no IT staff on hand, and because they are in a very remote and rural area, they required reliable Internet access. OneNet's bid was for an Internet access service that was delivered to the school wirelessly.<sup>35</sup> As Ms. Baker notes: “In Oklahoma, where we have frequent violent storms, especially during the spring when state testing is happening, wireless Internet access is much less

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<sup>32</sup> Baker Aff., ¶ 8

<sup>33</sup> *Moving at the Speed of Creativity* October 21, 2011, <http://www.speedofcreativity.org/2011/10/21/netpotential-2011-conference-notes-netpotential11/>

<sup>34</sup> *Moving at the Speed of Creativity*, March 22, 2011, <http://www.speedofcreativity.org/2011/03/22/iphone-tethering-cellular-bandwidth-consumption-the-home-school-internet-access-divide/>

<sup>35</sup> See Exhibit 2, Bids Received.

reliable than a direct fiber circuit.”<sup>36</sup> USAC points to the OneNet bid as a more cost-effective solution, but in this case, they are not comparing “apples to apples” – OneNet’s bid is not the same as Meet Point’s bid (as Meet Point’s is delivered over fiber). This was so important to the district that they were willing to incur the one-time \$39,000 establishment fee Meet Point bid in order to get fiber to the District’s location.

The District also had previous experience with AT&T’s Internet access service. Although the District was a current customer, AT&T did not bother to place a bid, but the district decided to evaluate a current bill for AT&T’s Internet access at 6 Mb. That 6 Mb service was the minimum that the district requested. This 6 Mb service level was bid out at the suggestion of the District’s E-rate consultant in the event that their rural remote location prohibited other service providers from bidding at higher service levels. In fact, the district had hoped to obtain an upgrade past their 6 Mb service level – an upgrade that the District “desperately needed.”<sup>37</sup>

AT&T was awarded lower points for service history because of their poor past performance with the District. The District writes that AT&T’s customer service was “absolutely the worst” and that AT&T’s service “would go down for long period of time and any time that we received substantial amounts of server weather, the Internet would not work at all.”<sup>38</sup>

Comparing the AT&T and OneNet bid to Meet Point bids is not an “apples to apples” comparison. Meet Point offered services not offered by the other providers: onsite turn up, onsite visits to restore Internet access, and firewall services.<sup>39</sup> As noted by the Commission, applicants cannot properly consider price without consideration of what services are being

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<sup>36</sup> Baker Aff. ¶ 15(b)

<sup>37</sup> Baker Aff. ¶ 8

<sup>38</sup> Baker Aff. ¶ 15(b)

<sup>39</sup> Baker Aff. ¶ 15(b)

offered. Here, Meet Point offered additional services that neither AT&T nor OneNet included in their bid proposals.

Bluejacket evaluated the Internet access providers based on categories that it determined were important. That evaluation led Bluejacket to select the service provider with the offer that best met the District's needs. It chose Meet Point because it determined that the service history, expertise of the company, location, and the company's understanding of the District's needs were superior to that of OneNet and AT&T – as allowed and encouraged by Commission orders and E-rate program rules.

**B. The Commission Has Never Established a Bright-Line Standard, as USAC Has Done Here.**

After adopting the guidance on cost-effectiveness in *Tennessee*, the Commission declined to adopt a bright-line standard for cost-effectiveness. In the *Third Report and Order* – released two weeks after *Ysleta* – and in a paragraph directly referencing *Ysleta*, the Commission specifically noted it did not have a bright-line test for cost-effectiveness: “Nor do our rules expressly establish a bright line test for what is a ‘cost effective’ service.”<sup>40</sup> The Commission

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<sup>40</sup> See, e.g., *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Third Report and Order and Second Further Notice of Proposed Rulemaking, FCC 03-323, at ¶ 87 (*Third Report and Order*) (“Our rules do not expressly require, however, that the applicant consider whether a particular package of services are the most cost effective means of meeting its technology needs. Nor do our rules expressly establish a bright line test for what is a “cost effective” service.”); *Modernizing the E-rate Program for Schools and Libraries*, WC Docket No. 13-184, Notice of Proposed Rulemaking, FCC 13-100, at ¶ 213 (*Modernization NPRM*) (“[W]e seek to refresh the record on whether we should adopt bright line tests, benchmark or formula for determining the most cost-effective means of meeting an applicant’s technology needs.”). It is notable, however, that the Commission appeared to focus on situations where no bid or only one bid was received, and those situations where applicants are selected expensive priority one services simply because they are supported, even though they are unnecessary or when less expensive services would fill the same need. *Modernization NPRM* at ¶¶ 203, 212-213.

has twice sought comment on whether to adopt specific standards or provide additional guidance with respect to this rule, but has so far declined to do so.<sup>41</sup>

Contrary to these Commission declarations, however, USAC points to *Ysleta* as support for stating that Bluejacket's services are not cost-effective, by stating that the services selected through Bluejacket's competitive bidding process were more than two times the OneNet bid. There are several problems with USAC's reliance upon *Ysleta* here. First, USAC appears to be establishing a bright-line rule even though the Commission has expressly stated that it has not adopted a bright-line standard.<sup>42</sup> As USAC is aware, USAC cannot interpret Commission rules.<sup>43</sup> As such, USAC should not use a bright-line standard of "two times" other bids to determine that services selected through Bluejacket's competitive bidding process are not cost-effective. Further, the Commission directed USAC to review its approach to cost-effectiveness reviews and then share the information with applicants and services providers before it attempts to implement a new approach, with oversight performed by the Wireline Competition Bureau and the Office of the Managing Director.<sup>44</sup> As of the date of filing this appeal, USAC has not provided this information. It is a potential violation of the Administrative Procedure Act and, at

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<sup>41</sup> In 2003, in the *Third Report and Order*, the Commission sought comment on whether it should codify additional rules to ensure that applicants make informed and reasonable decisions in deciding for which services they will seek discounts. *Third Report and Order*, at ¶ 87. In the *Modernization NPRM*, the FCC sought comment on adopting new standards for cost-effectiveness. *Modernization Order*, at ¶¶ 211-216. In the *First Modernization Order*, the Commission provided limited guidance related to the showing of cost-effectiveness necessary to receive funding for data plans for wireless devices and wireless air cards providing Internet access. The Commission ruled the wireless services are not cost-effective if they are duplicating service already being provided. *Id.* at ¶ 151.

<sup>42</sup> See *Third Report and Order* at ¶ 87; *Modernization NPRM* at ¶ 213.

<sup>43</sup> 47 C.F.R. § 54.702(c).

<sup>44</sup> *Modernizing the E-rate Program for Schools and Libraries*, WC Docket No. 13-184, *Connect America Fund*, WC Docket No. 90-90, Second Report and Order and Order on Reconsideration, FCC 15-189 (2014) at ¶ 126.

a minimum, fundamentally unfair to applicants to adopt a new standard of review and simply not tell the applicants what the standard is before holding them to it. In fact, the Commission should seek comment in a rulemaking process to establish a new standard, as it has done twice before without adopting such a standard. As the Commission has recognized by seeking comment on this issue, the Commission should adopt an order revising its own precedent if it desires to do so.<sup>45</sup>

Second, *Ysleta*'s facts are not applicable to this situation. The Commission in *Ysleta* analyzed a competitive bidding process in which the school district received one or no bids.<sup>46</sup> Bluejacket sought bids through the FCC Form 470 process for its E-rate eligible services. In *Ysleta*, the Commission stated – in dicta – that a price for a piece of *equipment* two to three times “the prices available from commercial vendors would not be cost-effective, absent extenuating circumstances.”<sup>47</sup> The example the Commission gave in *Ysleta* was of a piece of equipment. Equipment, unlike services, are commodities and more easily comparable. Even so, people often make purchasing decisions based on the quality of the brand of the product. The same is true – and even more so – for services. Evaluations of competing services are, of course, different than evaluating bids for the same piece of equipment. When evaluating a service, Applicants will have to consider the reliability of the service, the ability of the service provider to restore service in downtimes (including the technical expertise of the staff), and if the service provides the elements the Applicant would be purchasing (for example, are we really getting the amount of Internet access we have ordered?). Accordingly, USAC should not use *Ysleta* to support its analysis when comparing services, especially when the bids are different and include different,

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<sup>45</sup> *Third Report and Order*, ¶ 87; *Modernization NPRM*, at ¶¶ 213.

<sup>46</sup> *Ysleta* at ¶ 54.

<sup>47</sup> *Id.*

eligible services – such as on-site technical support and firewall services. As described above, Bluejacket compared the quality of services of Meet Point with the services provided by OneNet and AT&T and reached the conclusion that Meet Point’s services were superior.

Third, the *Ysleta* decision does not establish a standard that applicants are precluded from selecting bids that are twice as expensive as “the lowest bid.” The standard in *Ysleta* is “two or three times” the prices that are **commercially available** for those services,<sup>48</sup> which begs the question: *What would have been the pricing of the lower bidders had they included the additional, **eligible** services that Meet Point provides, or if those lower-priced bidders had the level of expertise of the Meet Point staff?* Of course, the answer to that question is “unknown” which means comparing these two bids using the *Ysleta* standard is a moot exercise and is not a fair evaluation of what is and is not cost effective.

Is Meet Point’s bid “too expensive” for USAC to fund? We disagree with the conclusion that it is. The only way to determine if the bid is “too expensive” is to compare it to other commercially available services. USAC did not compare Meet Point’s bid, which provided for different levels of support (cell phone numbers for the principals, on-site support and turn up) and different services (firewall services) than the other bidders, to other similar, commercially available offerings. USAC, in trying to make that determination could have surveyed local providers to determine what the commercially reasonable local price would be for a similar set of services (both scope and quality), or USAC could have used existing information they have gathered via 471 submissions about similar Internet access services provided in Oklahoma. We believe the price that Meet Point charges, given the level of support, the technical expertise of their staff and additional services offered, is commercially reasonable.

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<sup>48</sup> *Id.*

Additionally, we note that USAC funded the 2014 FRN for the District. USAC knew exactly how much they were paying for exactly how much bandwidth. USAC has cost-effectiveness standards before they fund applications to “red flag” funding requests that are out of a normal range. The District’s 2014 FRNs did not trigger one of those USAC pre-funding cost effectiveness review. For USAC to fund the FRN, knowing exactly how much they were paying for a specific amount of bandwidth and services and then years later demand that the District repay that funding is patently unfair to the District.

Finally, the Commission in *Ysleta* was also describing a situation in which there was only one bidder, and therefore no competitive bidding, this precluding the applicant from any comparison of services or price.<sup>49</sup> In such a case, the applicant is at the mercy of the service provider’s pricing and does not have a choice as to providers. Bluejacket was not held hostage to one provider. It received multiple bids and made a reasoned judgment regarding the services and comparative costs that met its needs through its competitive bidding process.

The reason that Bluejacket selected a more expensive service provider – even though funding for schools is tight in Oklahoma – is that a properly functioning Internet service is critical to the success of its students. The evaluation categories of location, service history, expertise of the company and understanding the needs of the District all relate to whether the Internet access service will function as expected or be repaired as quickly as possible. Internet access services are as important to Bluejacket as its other utilities, including heat and water. With the way the curriculum is structured, the schools simply cannot function if the Internet is not accessible. It is not cost-effective for either the District or the E-rate program to pay for an Internet service – no matter how inexpensive it is – that does not further the goal of providing

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<sup>49</sup> *Id.*



students with access to greater educational opportunities. Further, the District believed it was cost-effective for its needs as a small, rural district, to pay extra for a service that included enhanced levels of support and protection (*i.e.*, the firewall).<sup>50</sup> Bluejacket chose the service provider that was most cost-effective for its needs.<sup>51</sup>

### **C. USAC's Decision in This Case Undermines Program Policies and Goals**

Application of USAC's decision on a consistent basis will not further E-rate program policies and goals. First, it will force applicants in some cases to select a provider that does not offer the most cost-effective services for the applicants' needs – and likely could cause applicants to perform a disingenuous bid review process. Second, this decision could require applicants to weight price more heavily in the bid evaluation process – which is not required by Commission rules – in order to try to meet USAC's newly created standard. Finally, the District will suffer significant harm if its funding is denied.

First, USAC's attempt to second-guess the work of the District will force applicants to select a lower-priced offering, regardless of quality or other relevant criteria, so they will not be subject to second-guessing months or years after the conclusion of the competitive bidding process. To prevent this potential denial of funding, applicants will be forced to select a lower-price bidder, notwithstanding their review of the vendors' bids using the other factors important to the individual applicants.

Using such a standard will lead to a disingenuous bidding process. Applicants are required to consider all valid bids received.<sup>52</sup> Is it really USAC's position that an applicant must evaluate a bid that is two times more expensive than the other bids, but that bid (under USAC's

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<sup>50</sup> Baker Aff. ¶ 15(b)

<sup>51</sup> Baker Aff. ¶ 18

<sup>52</sup> 47 C.F.R. § 54. 511(a).

interpretation of *Ysleta*) must always lose? Are applicants supposed to manipulate the evaluation process so that the more expensive vendor receives fewer points, notwithstanding the reviewer's actual analysis of the bid responses? A fair and open competitive bidding process cannot have pre-determined outcomes. Such a result could cause applicants to violate their own competitive bidding requirements. Further, what is the point of allowing the applicant the "maximum flexibility" to consider service history, quality of service, or other reasonable factors of a bid that USAC has pre-determined must always lose? An applicant that follows all of its own state and local procurement rules should not be prohibited from selecting a bid that meets its needs, but for a non-codified standard that USAC has decided to impose. If it is truly the intention that bids that are twice as much as the lowest bid are, on face, not cost-effective and should never win, then the program should explicitly allow applicants to disqualify those bids before the bid evaluation process begins, even if no disqualification factors are listed by the applicant in the FCC Form 470 and/or RFP. As it stands right now, applicants are required by FCC rules to evaluate all bids received and applicants do not have the authority to disqualify bids that are twice as expensive as the lowest bid received.

Second, USAC's process to determine cost-effectiveness is flawed. USAC's current interpretation of *Ysleta* places the applicant in an untenable position - the applicant is required to evaluate all bids, required to use specific bid criteria weighted in a specific manner and conduct an open and fair competitive bidding process. Even when an applicant complies with all of these rules and follows all of the approved processes, if a bid is awarded the most points and determined to be the best fit for the applicant's needs, but is twice as much as a lower bid, what can an applicant do? The applicant can't simply throw out the bid or disqualify it – not only would the winning bidder have legal recourse against the applicant should the applicant throw

out that bid, but the applicant could very well be in violation of local or state competitive bidding rules for not proceeding with the bid that was awarded the most points. Under USAC's interpretation of Ysleta, that bid should never win, but using the FCC's competitive bidding process and rules it did. What is the point of following all of the competitive bidding rules if it produces an outcome that USAC won't fund?

There are no allegations of competitive bidding rule violations by the District. USAC's concerns about cost-effectiveness seem better directed at the bid evaluation process that produced an outcome that USAC deems too expensive (perhaps the Commission should set more stringent procedures for weighting Price of Eligible Goods and Services at 50% of the total available points) than directing those concerns at the District. How can a winning bid be determined to be "too expensive" by USAC if the applicant properly evaluated price (and correctly awarded points) according to the Commission's rules and procedures?

Third, USAC's denial suggests the price differential should have been weighted more heavily than the District weighted it. To reach such a result, USAC is effectively overruling Commission precedent that only requires that pricing be given at least one more point than any other individual category.<sup>53</sup>

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<sup>53</sup> As described above, USAC appears to be going beyond Commission precedent to establish a new standard without basis in Commission precedent. USAC, however, is not authorized by the Commission to interpret Commission rules. Under the Commission's rules, USAC "may not make policy, interpret unclear provisions of the statute or rules, or interpret the intent of Congress." 47 C.F.R. § 54.702(c). To the extent the Commission's rules are unclear, USAC has no authority to act without first seeking guidance from the Commission. *See id.* Moreover, the District proceeded entirely in accordance with Commission precedent when it evaluated relevant factors other than price. As a result, USAC has acted outside its authority by finding that Bluejacket, despite having strictly followed the Commission's rules and precedent, failed to adhere to the Commission's requirements. Furthermore, if the Commission decides that a revision to the rule would advance program goals, such an interpretation should be provided by the Commission before it is applied, and following a notice-and-comment rulemaking.

At a minimum, USAC's decision here substitutes its judgment on the merits of the competitive bidding process for that of the District. When the Commission established the rules for the E-rate program in 1997, it stressed that a fundamental principle would be the determination of local needs by local decision-makers regarding what services would work best for that school or school district.<sup>54</sup> It did not try to impose a top-down regime where the federal government decided the merits of each service choice of a particular school or district. The idea was that the thousands of schools and districts would know their own technology needs better than the federal government. The Commission has not wavered from this principle. If this decision stands, USAC would be free to evaluate the merits of the respective bidders without the knowledge that applicants have regarding service quality, service history, personnel qualifications, and the value they are receiving for the services purchased. There is simply no way USAC can make a proper evaluation of the bids without that information. In this case, while Bluejacket has attempted to provide that information in responses to USAC's reviews, it appears that USAC has discounted the information or failed to take it into consideration, focusing exclusively on the price of the services.

**D. If USAC Still Finds the Services Were Not Cost-Effective, USAC Should Commit Funding for Bluejacket at a Level That Is Cost-Effective**

USAC should, at a minimum, approve part of Bluejacket's funding request. There is precedent for such an approach. In the *Fifth Report and Order*, the Commission provided direction for USAC for recovery of funding when it was improperly disbursed.<sup>55</sup> Cost-

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<sup>54</sup> *Universal Service Order* at ¶¶ 481, 574.

<sup>55</sup> *Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Fifth Report and Order and Order, FCC 04-190 (2004) at ¶¶ 15-44 (*Fifth Report and Order*).

effectiveness is not directly addressed in that order.<sup>56</sup> However, some of the other illustrations provide guidance for the cost-effectiveness rule. If a carrier charges the beneficiary “an inflated price,” the *Fifth Report and Order* directs that USAC should recover amounts disbursed in excess of what similar situated customers are normally charged in the marketplace.”<sup>57</sup> Similarly, here, if the standard is that cost two times other pricing is not cost-effective, then, by implication, a price 1.9 times the cost is cost-effective. As such, USAC could calculate the cost of the eligible service at 1.9 times that of a lower price and fund that amount for Bluejacket. In addition, the Commission has ruled that, when two providers are providing the same service and one is less expensive, the applicant shall be reimbursed for its Internet connection at the lower rate.<sup>58</sup> Following that logic, USAC could reimburse the applicant at the rates offered by a different provider. Such an approach would minimize the harm caused by USAC’s delay in determining it had an issue with Bluejacket’s selection of Meet Point as its service provider.

\* \* \*

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<sup>56</sup> *Id.* The Commission states that full recovery is appropriate for competitive bidding violations. However, this is not a competitive bidding violation. USAC found no issues with the competitive bidding process; it disagreed with the outcome. There are no allegations that the process was not fair and open, price was not the primary factor or that bids were not solicited for at least four weeks.

<sup>57</sup> *Fifth Report and Order* at ¶ 30. The Commission also discusses situations in which the beneficiary has requested a “clearly excessive” level of support. That situation is not applicable here, as the examples are those when the beneficiary is requesting a number of lines or equipment that is beyond what is necessary. There is no dispute here that the District requires this level of capacity for broadband services, nor are there any allegations that these services are duplicative or redundant.

<sup>58</sup> *Schools and Libraries Universal Service Support Mechanism*, Requests for Review by Macomb Intermediate School District, CC Docket No. 02-6, Order, FCC 07-64 at ¶ 9 (2007). This rule is applicable when the applicant could have purchased all of the services from one provider at the lower rate but chose not to, and when the services provided do not exceed the total capacity required.

For the reasons stated above, the District respectfully requests that USAC reconsider its initial decision and grant its funding requests for FY 2014. As the foregoing has demonstrated, the District met the Commission requirements for competitive bidding, and selected the most cost-effective bid available to meet its needs.

### **List of Exhibits**

**Exhibit 1:** Invitation for Competitive Bid (AKA: RFP)

**Exhibit 2:** Bids Received

**Exhibit 3:** 471 Application

**Exhibit 4:** COMAD

**Exhibit 5:** Administrator Decision Letter

**Exhibit 6:** Bid Evaluation Sheets



## **Affidavit**



Before the Federal Communications Commission

Washington, D.C.

In the Matter Of )

Schools and Libraries )

Universal Service Support Mechanism )

CC Docket No. 02-6

Request for Review and/or Waiver )

By Bluejacket ISD I020 )

Application Number 944742

of the Funding Decisions by the )

Universal Service Administration Company )

### Affidavit of Bluejacket ISD I020

I, Shellie Baker, swear:

#### BACKGROUND

1. I am the superintendent, high school principal and school-wide counselor for Bluejacket Public School. I have been the superintendent since November 2013
2. I have been in charge of the MS/HS computer lab in annual testing. I researched and tested software and ever-changing systems and made recommendations to the former superintendent.
3. I have an associates in arts from NEO A&M, a bachelor degree with elementary education major from Pittsburg State, a masters in school counseling degree from the University of Alabama and a masters in school administration from NSU. I am currently enrolled in the doctoral program at ORU.
4. Bluejacket Public School is a rural school district that serves approximately 215 preK-12<sup>th</sup> grade students. We are Caucasian and native American with an over 50% free and reduced lunch rate. We have one elementary school building, one shared Middle and

High School building, an agriculture program, media center, student activity center and two gymnasiums.

5. Bluejacket Public School employees wear many hats. We have no full time or dedicated IT staff on hand. Our only on-hand IT support is: a teacher that has a computer interest and myself that has tried to learn and ins and outs from various people that cross my path. We are struggling to keep up with the ever-changing technology world. Our computers and smart boards are out of date. Our wifi is completely outdated and cannot keep up with all of the students that have their own devices. We are very rural so finding a dependable internet source is very important to us to keep the facility running.

#### **IMPORTANCE OF TECHNOLOGY**

6. We use technology on a daily basis. In addition to student testing, virtual field trips, integrated in lesson plans, our entire school system records such as: student attendance, payroll, library media, grades and progress are dependent upon technology. We also utilize several social media points for parent and community communications.
7. I don't believe we would be able to continue to function effectively if our internet access or telecom services were not available. We would not be able to keep up with the numerous required state department of education reports and that in-turn would affect various funding of other programs.
8. We have a history with MeetPoint and trust their service and the after the sale service that has always been provided. We researched OneNet and found that several schools were not happy with the service that they provided at the time of bidding, AT&T did not submit a bid to upgrade to our network that we desperately needed. At the suggestion of our E-rate consultant, we bid out the current bandwidth level – 6 Mb as a minimum

amount that we needed. In reality, we needed more bandwidth. Even though we were a current customer of AT&T, they did not bother to place a bid. We evaluated AT&T's pricing as part of the contract we were currently under with them.

## THE PROCUREMENT

9. In 2013-2016 as superintendent, I felt like the technology needs for Bluejacket Public

Schools needed:

- i. Affordable connectivity sufficient to handle our needs we were on a 6mb line and it just wasn't enough to keep up with the constant need for internet access for all students and teachers.
- ii. We needed reliable connectivity to support the learning and teaching experiences; and
- iii. We needed quality connectivity to assure that the schools received content appropriate to their needs, and filtered out content that was inappropriate.
- iv. We needed network protections (i.e., firewall) sufficient to protect the network from third-party spam, attacks, and viruses.
- v. We needed to ensure that, if the network went down, our provider would be available to assist with restoring service as soon as possible.

10. Accordingly, Bluejacket Public Schools decided what evaluation criteria to use to evaluate the bids received.

11. I received a list of possible categories from our consultant, CRW Consulting, but I determined which categories we would use for evaluation of the bids.

12. The competitive bidding process was fair and open. Meet Point did not have any role in the development of the RFP nor did it have any information not available to any other bidder.

#### **THE EVALUATION PROCESS 2014 (Internet)**

13. I decided to use service history and expertise of company in determining who would take our school to the next level of offering the best internet access. Maximum points for service history and expertise of company is 20 and MeetPoint was able to meet those maximum numbers.
14. I was looking for a company that I could count on for years to come. I was looking for the ability to meet our scheduling requirements. I wanted quality of service and dependability of service not lapsing in order to keep my school running efficiently and effectively. I didn't want to worry with the potential risks with selecting a certain provider or the stability of a company. I wanted to know that I could call on service and speak to a person that would help me immediately.
15. Our service went out to bid and when the bids were received in-district, we used the template to go over each and every aspect of each provider. We used the rubric to determine each evaluation factor. We broke down each contract and what they would be able to provide. We contacted various customers to research the companies in which we were not familiar with. The former superintendent came back to work for the school

district as Federal Programs and E-Rate assistance. We worked on this process together and it took many months of research, ciphering and decision making.

- a. We examined each category and awarded points based off of what we knew about each company and factor. We started with the most points in each category for the company that we knew deserved the highest number of points, then went down from there depending on the factors. Price of goods, service history, expertise, complete bids and location of the company were the factors that we used in order to complete the bid evaluation sheet for each bid.
- b. Although we were a current customer of AT&T they did not bother to bid on our Internet access 470. We relied on their current contract pricing for 6 Mb, which really was not sufficient for our needs. MeetPoint provided 24x7 internet access troubleshooting and repair in addition to onsite visits when necessary for no additional charge. Meet Point's bid also included firewall services, which are important to us as a small, rural school with no full time IT staff on hand. Secure and reliable Internet access was important to us – so much so that we were willing to incur the one-time expense of \$39,005.00 in order to provide fiber internet lines bid through MeetPoint Networks. We felt like this would be a long-term investment in our school. OneNet's bid was deficient in this area – their circuit to us, according to their bid, would be part fiber and part wireless. In Oklahoma, where we have frequent violent storms, especially during the spring when state testing is happening, wireless Internet access is much less reliable than a direct fiber circuit. Communication with OneNet was very difficult. When we had questions in the bidding process, we could never find anyone in which to discuss

concerns that we had with the upgrade OneNet's bid mentioned nothing about service and in doing research, we were advised that OneNet could not meet these needs in helping to keep our internet up and running. We were told that their service was not dependable and some schools would be down for long periods of time.

AT&T service for our school was also lacking. We had more and more computers utilizing the internet, and our 6mb line just could not keep up. We would go down for long periods of time and any time that we received a substantial amount of severe weather, the internet would not work at all. When we tried to contact them for an upgrade, they did not include it in any of their bids. From personal experience, customer service with AT&T is absolutely the worst and doing an upgrade with them just wasn't an option. Moving to MeetPoint as our upgraded internet service provider just made sense in the fact that they were a customer we could trust to guide us through the transition. We knew that any troubles along the way, they would be there to assist no matter the size of the problem. We had all of the employees' cell numbers in which to call at any time we needed anything! Sometimes we would get a call or text that reported an outage before we knew it. It would also give us a time-frame to count on as to when things would be up and running. MeetPoint crew always went above and beyond to help out our little school and that is always appreciated. .

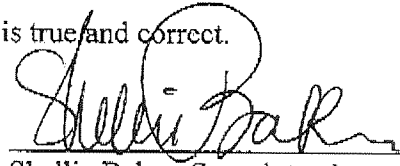
16. The total points awarded to MeetPoint were 95.

**USAC REVIEW OF THESE APPLICATIONS**

17. USAC approved our applications so we kept doing the same thing and never had any concern with the process.


18. As I understand the standard, we were to make a choice of the most "cost-effective" provider. Accordingly, we evaluated the quality of the services offered, the service history and the price of those services. Service history was the most important aspect of our decision making process. We are dependent on the internet to keep our school running and we knew we could trust MeetPoint at any time through the transition from AT&T to them.

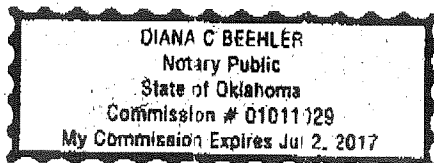
I certify under penalty of perjury that the foregoing is true and correct.

  
Shellie Baker, Superintendent

Subscribed and sworn to before me this 14 day of July, 2016.

[Seal]

  
Notary Public



**Exhibit 1:** Invitation for Competitive Bid (AKA: RFP)



**IFCB Posted**

10 October 2013

**Bluejacket ISD I020****District Address**

3rd &amp; Center St.

Bluejacket, OK 74333

**IFCB ID:** 839690001150321**IFCB Deadline:**

07 November 2013

**Questions Due By:**

31 October 2013

**IFCB Requirements**

- All Questions and Bids must be submitted using the on-line IFCB system. If for some reason the system is down before the respective deadline, please email your bid to [info@crwconsulting.com](mailto:info@crwconsulting.com) or fax it to 918.445.0049. Bids or questions submitted in this fashion will be disqualified if the on-line system is active at the time of submission.
- Bidder must agree to participate in USF Program (AKA "E-rate") for the corresponding funding year.
- Please include the correct Service Provider Identification Number (SPIN) on your bid.
- By submitting a bid, bidder certifies that the bidder does have a valid (non-red light status) SPIN for the E-rate program at the time of submission. Should the Applicant discover that the bidder is on red light status, or if the FCC classifies the bidder as on red-light status before work is performed and invoices are paid, the contract will be null and void and the applicant will have no payment obligations to the bidder.
- Bidder is expected to provide the lowest corresponding price per E-rate rules. See <http://www.usac.org/sl/service-providers/step02/lowest-corresponding-price.aspx> for details.
- Contracts must not prohibit SPIN changes.
- Bidder must agree to provide the Applicant the choice of discount methods (SPI or BEAR).
- Bidder will be automatically disqualified if the District determines that the bidding company has offered any employee of the District any individual gift of more than \$20 or gifts totaling more than \$50 within a 12 month period.
- All contracts awarded will be contingent upon E-rate funding and final board approval. The applicant may choose to do all or part of the project upon funding notification.

- All contracts awarded under this IFCB bidding process may be voluntarily renewed by the applicant, upon written notice to the provider, for five consecutive one year terms.

## Services and Equipment Requested

Local and long distance phone service - Approx 12 lines

Cellular phone service - Approx 2 lines with internet access/data plans

Internet Access - Minimum 6Mb bandwidth; the terminating address for this circuit is 276 NE Third, Bluejacket, OK 74333; (918) 784.

[Upload Bid](#)



## Questions Received with District Answers:

[Submit a Question](#)

No Data

[Home](#) [About Us](#) [Services](#) [e-Rate Info](#) [Testimonials](#) [Contact](#)



Sign up for our new sletter :

Your Email

[Submit](#)

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P.O. Box 701713  
Tulsa, OK 74170-1713  
Voice: (918) 445-0048  
Fax: (918) 445-0049

**Exhibit 2: Bids Received**





<b>TO:</b> BLUEJACKET PUBLIC SCHOOL 276 NE THIRD STREET BLUEJACKET OK 74333		<b>Invoice Date:</b> 12/01/2013 <b>Invoice Number:</b> 6700797 <b>Invoice Cust. No.:</b> 8680630 <b>Invoice Account:</b> VPBLPS <b>Marketing Area:</b> 275 <b>Activity Cust. No.:</b> 8680630		<b>For questions about this invoice or account balance, please call Accounts Receivable at 1-800-218-6556. For other assistance call 1-800-727-2222</b>	
---	--	--	--	---	--

Activity Account: VPBLPS

Charges for the month of  
NOVEMBER, 2013

Service Category	Units	Unit of Measure	Gross Amount	Discount Amount	Taxes	Total Amount
WPLS PARTS	1.00	Month	4,590.00	3,442.50CR		1,147.50
WPLS PART-6.176 MBPS						
Subtotal for this category:			4,590.00	3,442.50CR		1,147.50
Total for activity account VPBLPS :			4,590.00	3,442.50CR		1,147.50
Total for invoice account VPBLPS :			4,590.00	3,442.50CR		1,147.50



## AT&amp;T VPN SERVICE DETAIL

Page 3 of 3

LOC: BLUEJACKET PUBLIC SCHOOL	Invoice Date: 12/31/2013	For questions about this
276 NE THIRD STREET	Invoice Number: 6708797	Invoice or account balance,
BLUEJACKET OK 74333	Invoice Cust. No.: 8688630	please call Accounts
	Invoice Account: VPPLPS	Receivable at 1-800-218-8658
	Marketing Area: 275	For other assistance
	Activity Cust. No.: 8688630	call 1-800-727-2222

## Activity Account: VPPLPS (CONTINUED) Charges for the month of

NOVEMBER, 2013

CHARGE TO ACCOUNT: VPPLPS

SITE ID: 90292032  
CUSTOMER SITE ALIAS: BLPBLUOK01  
CUSTOMER LOCATION: 276 SOUTHEAST 3RD STREET, BLUEJACKET, OK 74333

PORT FEATURES FOR ICORE ID : 2024465  
MPLS PORT-6,176 MBPS

AND AT&T CIRCUIT ID : DHEC.369338.811.ATI,DHEC.369338.812.ATI,DHEC.369338.813.ATI  
2013-11-01 2013-11-30 MONTH

Start Date	Stop Date	Charge Type	Quantity	Gross Charge	Discount Amount	Net Charge
-----						
		SITE SUB-TOTAL:	1,147.50			1,147.50
		SITE TAX-TOTAL:	0.00			
		GRAND-TOTAL :	1,147.50			
-----						
		CHARGE ACCOUNT TOTAL:		4,590.00	-3,442.50	1,147.50
		CONTROL ACCOUNT TOTAL:		4,590.00	-3,442.50	1,147.50

8112.001 000307 03 03 000000 NNNNNNNY 74019.74019



at&t

Interstate Dedicated Private Line Service

AT&T  
AT&T CUSTOMER CARE CENTER  
250 SO. CLINTON - 4TH FLOOR  
SYRACUSE, NY 13202

MONTHLY INVOICE

BLUEJACKET PUBLIC SCHOOLS  
276 NE THIRD ST  
BLUEJACKET OK 74333

Billing Number: H7 ST1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 8954931490 ORIGINAL

Invoice Date: 12-01-13  
For billing inquiries: 1-877-212-9500  
To place an order: 1-877-212-9500  
For repair service: 1-800-344-5100

New Charges	Monthly Charges 12-01 through 12-31:	\$ 939.48	
	Prorated Charges/Credits:	\$ 0.00	
	One-Time Charges/Credits:	\$ 237.76	
	Total Charges:		\$1,177.24
	Federal Excise Tax:	\$ 0.00	
	State/Local Taxes and Surcharges:	\$ 0.00	
	Total Taxes and Surcharges on Charges:		\$ 0.00
Total Charges, Taxes, and Surcharges:			\$1,177.24
Balance Brought Forward	Balance as of Last Monthly Invoice:	\$2,075.48	
	Payments Received:	\$1,757.32 <sup>CR</sup>	
	Other Charges and Adjustments:	\$ 563.70 <sup>CR</sup>	
	Balance Brought Forward:		\$ 245.54 <sup>CR</sup>
Remittance Amount			Total Payable Upon Receipt: \$ 931.70

To ensure proper credit, please detach this portion and return with remittance.

Remittance Document  
Interstate Dedicated Private Line Service

BLUEJACKET PUBLIC SCHOOLS  
276 NE THIRD ST  
BLUEJACKET OK 74333

Address Correction:

Please remit payments to:

AT&T  
PO BOX 5019  
CAROL STREAM IL 60197-5019



Account Number: 8002-784-2543  
Invoice Number: 8954931490  
Inquiry Center: USG00700  
Telephone Number: 1-877-212-9500

Invoice Date: 12-01-13

Amount Due: \$ 931.70

Amount Enclosed:

80027842543895493149000078600000009317000001177240



at&t

Interstate Dedicated Private Line Service

Customer Messages

Page Number: 2

BLUEJACKET PUBLIC SCHOOLS

Billing Number: H7 ST1694 01 001  
Account Number: 8002-784-2543  
Invoice Number: 8954931490 ORIGINAL  
Invoice Date: 12-01-13

JUST FOR YOUR BUSINESS

AT&T will charge a \$25 fee for any check returned for insufficient funds, applied to your next invoice. AT&T values your business and thanks you for your cooperation in this matter.

\*\*\*\*\*

From time to time, AT&T may change the names of services, Service Capabilities, or Service Components, or other terminology. The old terminology may remain in use for some time after such changes (such as in contract documents and billing records). For example, your customer bill and other customer documents may refer to Private Line Service (PLS) as Accunet, and may refer to DS0 service as Accunet Spectrum of Digital Services (ASDS) or Single Channel Service. Should you have any questions about the service name appearing on your bill, please refer to the 'Table of Changed Terminology' located in the AT&T Service Guides and applicable state tariffs.

REGULATORY NEWS

If you do not pay your bill by the date it is due, AT&T may assess a late payment charge. The rate shall be 1.5% per month (18% annually) unless an applicable law or regulation specifies a lower rate to be charged, and then that lower rate shall apply. Alternatively, a minimum late payment charge of \$5.00 may be assessed if permitted by applicable law or regulation. In Maine, the monthly rate for 2013 is 0.82%.

\*\*\*\*\*

Your telecommunications services are provided by one or more of the following AT&T Corp. subsidiaries based on the type of service provided, and the location at which it is provided: AT&T Communications of (State), and/or TCG (State). To view service publications go to [att.com/servicepublications](http://att.com/servicepublications) and click on the Service Guide and/or Tariff.

\*\*\*\*\*

Bill Period is the monthly period that the customer's bill processing started and ended. The Usage is usually billed within the current Bill Period and Monthly Recurring Charges (MRCs) are billed one month in advance.

For example:

Invoice date April 1, Usage/Bill Period March 1 through March 31, MRCs April 1 through April 30  
Invoice date April 11, Usage/Bill Period March 11 through April 10, MRCs April 11 through May 10  
Invoice date April 19, Usage/Bill Period March 19 through April 18, MRCs April 19 through May 18.

\*\*\*\*\*

Attention Valued AT&T Customers

If your invoice includes any back-billed charges, you have the right to pay these charges in full with your regular bill, or to call AT&T to make reasonable payment arrangements. You may choose to pay the back-billed amount in monthly installments equal to the number of back-billed months. Please take note that you must pay the full amount of your phone bill each month, including installments to repay back-billed - charges, in order to avoid possible disconnection and other charges and penalties. If you are interested in using this payment method for any back-billed amount, please call AT&T on the toll-free number located on your bill.

\*\*\*\*\*

If your business makes outbound telephone solicitations, you must comply with federal do-no-call laws and regulations (47 C.F.R.64.1200, and 16 C.F.R.310) and any applicable state laws.

\*\*\*\*\*





at&t

Interstate Dedicated Private Line Service

Customer Messages

Page Number: 3

BLUEJACKET PUBLIC SCHOOLS

Billing Number: H7 ST1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 8954931490 ORIGINAL  
Invoice Date: 12-01-13

REGULATORY NEWS

(continued)

Federal regulation requires AT&T to inform our valued customers that basic local services will not be disconnected for the non-payment of your non-regulated service charges. To avoid collection activity, please remember to pay all charges by the due date.

In addition, you may experience disconnection of your basic local service if payment is not received for the Long Distance portion of your bill except in the states: Alabama, Arizona, Colorado, Hawaii, Idaho, Indiana, Iowa, Maryland, Michigan, Minnesota, Missouri, New Mexico, New York, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Texas, Utah, Vermont, Virginia, Washington and the District of Columbia.

\*\*\*\*\*

AT&T Calling Card is a US-based telecommunications service provided by AT&T Corp. Worldwide access is provided on a bilateral basis in cooperation with AT&T's correspondent carriers in non-US jurisdictions, and in accordance with the Regulations of the International Telecommunications Union, as applicable.

\*\*\*\*\*

**DO NOT CALL**

If your business makes outbound telephone solicitations, you must comply with federal do-not-call laws and regulations (47 C.F.R. 64.1200 and 16 C.F.R. 310) and any applicable state laws.

\*\*\*\*\*

**\*\*\*Important News About Your Account\*\*\***

You are requested to provide in writing to AT&T, within six months of the date of this bill, any dispute with respect to the charges on this bill, unless a different notification period applies under your contract, State Tariff and/or Service Guide.

You can reach AT&T either by using the toll free number on your bill, or in writing at the address listed at the top of the first page of your invoice.

[http://serviceguide.att.com/serviceguide/business/ext/state\\_tariff\\_buss.cfm](http://serviceguide.att.com/serviceguide/business/ext/state_tariff_buss.cfm)

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If you receive service pursuant to a signed contract or other term agreement with AT&T and it is currently in effect, its terms will govern the provision of your AT&T service.

AT&T's standard contract for detariffed services not covered by a signed contract or term agreement, including expired contracts or term plans that are not renewed, can be found at: [att.com/agreement](http://att.com/agreement). Important limits of liability apply, including: AT&T is not liable for indirect or consequential damages (such as your lost profits or other economic loss), and direct damages during any 12 months cannot exceed one month of your payments for affected service(s).

Additional terms, conditions, charges and price change information for all detariffed business services can be viewed at <http://www.att.com/serviceguide/business>. If you do not have access to the Internet, please contact your AT&T Sales Representative or Customer Care Center for information.

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Interstate Dedicated Private Line Service

Customer Messages

Page Number 4

BLUEJACKET PUBLIC SCHOOLS

Billing Number: H7 ST 1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 8954931490 ORIGINAL  
Invoice Date: 12-01-13

REGULATORY NEWS

(continued)

AT&T intrastate, interstate, and international services are provided by AT&T Corp. To view service publications, go to <http://www.att.com/servicepublications> and click on Service Guides and/or Tariffs.

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Please pay your bill in full within 30 days of the invoice date or we will consider your account past due.

End of Messages

Thank you for choosing AT&T, we appreciate your business

10/25/13



Interstate Dedicated Private Line Service

## Payments, Other Charges and Adjustments

Page Number: 5

BLUEJACKET PUBLIC SCHOOLS

Billing Number: H7 SF1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 8954931490 ORIGINAL  
Invoice Date: 12-01-13

Payment Date	Payment Description	Payment Method	Amount
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## Payments

11-01-13	PAYMENT RECEIVED	0095453341	\$878.66 <sub>CR</sub>
11-21-13	PAYMENT RECEIVED	0095455745	\$821.02 <sub>CR</sub>
11-22-13	PAYMENT RECEIVED	0095455745	\$57.64 <sub>CR</sub>
Total Payments Applied:			\$1,757.32 <sub>CR</sub>

Item No	Adj. Date	Reference Number	Description	Adjustment to Charges	Adjustment to Taxes	Total Adjustments
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## Other Charges and Adjustments

000001	11-05-13	923000845432	ADJUST AEF ON 09-01-2013 INVOICE	\$1.32 <sub>CR</sub>		\$1.32 <sub>CR</sub>
000002	11-05-13	923000845432	ADJUSTMENT TO 09-01-2013 INVOICE	\$150.62 <sub>CR</sub>		\$150.62 <sub>CR</sub>
000003	11-05-13	923000845432	ADJUST PTA ON 09-01-2013 INVOICE	\$6.08 <sub>CR</sub>		\$6.08 <sub>CR</sub>
000004	11-05-13	923000845432	ADJUST FRF ON 09-01-2013 INVOICE	\$5.24 <sub>CR</sub>		\$5.24 <sub>CR</sub>
000005	11-05-13	923000845432	ADJUST UCC ON 09-01-2013 INVOICE	\$24.64 <sub>CR</sub>		\$24.64 <sub>CR</sub>
000006	11-05-13	923000845431	ADJUST UCC ON 08-01-2013 INVOICE	\$24.64 <sub>CR</sub>		\$24.64 <sub>CR</sub>
000007	11-05-13	923000845431	ADJUST AEF ON 08-01-2013 INVOICE	\$1.32 <sub>CR</sub>		\$1.32 <sub>CR</sub>
000008	11-05-13	923000845431	ADJUSTMENT TO 08-01-2013 INVOICE	\$152.06 <sub>CR</sub>		\$152.06 <sub>CR</sub>
000009	11-05-13	923000845431	ADJUST PTA ON 08-01-2013 INVOICE	\$6.16 <sub>CR</sub>		\$6.16 <sub>CR</sub>
000010	11-05-13	923000845431	ADJUST FRF ON 08-01-2013 INVOICE	\$3.72 <sub>CR</sub>		\$3.72 <sub>CR</sub>
000011	11-25-13	900001744899	ADJUST PTA ON 10-01-2013 INVOICE	\$6.08 <sub>CR</sub>		\$6.08 <sub>CR</sub>
000012	11-25-13	900001744899	ADJUST FRF ON 10-01-2013 INVOICE	\$5.20 <sub>CR</sub>		\$5.20 <sub>CR</sub>
000013	11-25-13	900001744899	ADJUST UCC ON 10-01-2013 INVOICE	\$25.36 <sub>CR</sub>		\$25.36 <sub>CR</sub>
000014	11-25-13	900001744899	ADJUST AEF ON 10-01-2013 INVOICE	\$1.32 <sub>CR</sub>		\$1.32 <sub>CR</sub>
000015	11-25-13	900001744899	ADJUSTMENT TO 10-01-2013 INVOICE	\$149.94 <sub>CR</sub>		\$149.94 <sub>CR</sub>

Total Other Charges and Adjustments:

\$563.70 <sub>CR</sub>	\$0.00	\$563.70 <sub>CR</sub>
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## SUMMARY OF INVOICE CHARGES

Page Number: 6

BLUEJACKET PUBLIC SCHOOLS

Billing Number: H7 ST1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 89549361400 ORIGINAL  
Invoice Date: 12-01-13  
For billing inquiries: 1-877-242-8500

Description	Monthly Charges	Prorated Charges/Credits	One-Time Charges/Credits	Taxes and Surcharges	Total
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### Circuit Charges

## REGULATORY/OTHER CHARGES

ADMINISTRATIVE EXPENSE FEE-DCS	#	\$0.00	\$0.00	\$8.28	\$0.00	\$8.28
FEDERAL REGULATORY FEE-DCS	#	\$0.00	\$0.00	\$32.60	\$0.00	\$32.60
PROPERTY TAX ALLOTMENT-DCS	#	\$0.00	\$0.00	\$38.04	\$0.00	\$38.04
UNIVERSAL CONNECTIVITY-DCS	#	\$0.00	\$0.00	\$158.84	\$0.00	\$158.84

ACCUNET® T1.5 MBPS SERVICE

Direct 309335811 AT)	\$1,997.27	\$0.00	\$0.00		
Discount Plan Savings:	\$1,762.40	\$0.00	\$0.00		
<b>Net Charge:</b>	<b>\$234.87</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$234.87</b>

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**参考文献**

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**Abstract**

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~~Amount Total Reflect the Following~~

# Activity Occurred This Billing Period

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Interstate Dedicated Private Line Service

## SUMMARY OF INVOICE CHARGES

Page Number: 6

BLUEJACKET PUBLIC SCHOOLS

Billing Number: H7 ST1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 8051931490 ORIGINAL  
Invoice Date: 12-01-13  
For billing inquiries: 1-877-212-9500

Description	Monthly Charges	Prorated Charges/Credits	One-Time Charges/Credits	Taxes and Surcharges	Total
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Circuit Charges

## REGULATORY/OTHER CHARGES

ADMINISTRATIVE EXPENSE FEE-DCS #	\$0.00	\$0.00	\$8.28	\$0.00	\$8.28
FEDERAL REGULATORY FEE-DCS #	\$0.00	\$0.00	\$32.60	\$0.00	\$32.60
PROPERTY TAX ALLOTMENT-DCS #	\$0.00	\$0.00	\$38.04	\$0.00	\$38.04
UNIVERSAL CONNECTIVITY-DCS #	\$0.00	\$0.00	\$158.84	\$0.00	\$158.84

## ACCUNET® T1.5 MBPS SERVICE

DHEC 369338811 ATI Discount Plan Savings: Net Charge:	\$1,997.27 \$1,762.40 <sub>Pr</sub> \$234.87	\$0.00 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00	\$0.00	\$234.87
DHEC 369338812 ATI Discount Plan Savings: Net Charge:	\$1,997.27 \$1,762.40 <sub>Pr</sub> \$234.87	\$0.00 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00	\$0.00	\$234.87
DHEC 369338813 ATI Discount Plan Savings: Net Charge:	\$1,997.27 \$1,762.40 <sub>Pr</sub> \$234.87	\$0.00 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00	\$0.00	\$234.87
DHEC 369338814 ATI Discount Plan Savings: Net Charge:	\$1,997.27 \$1,762.40 <sub>Pr</sub> \$234.87	\$0.00 \$0.00 \$0.00	\$0.00 \$0.00 \$0.00	\$0.00	\$234.87
EQEC 123456 ATI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Circuit Charges:	\$939.48	\$0.00	\$237.76	\$0.00	\$1,177.24
Total This Account:	\$1,177.24			\$0.00	\$1,177.24

Description	Total Promotional Savings	Total Discount Plan Savings	Total Interruptions	Total Service Assurance Warranty
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## Account Totals Reflect the Following

ACCUNET® T1.5 MBPS SERVICE	\$0.00	\$7,049.60 <sub>Pr</sub>	\$0.00	\$0.00
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# Activity Occurred This Billing Period

FORM 221-201201-01 7/06/2000 01/01/2000 1/01/2000





Interstate Dedicated Private Line Service

# ACTIVITY SUMMARY

Page Number: 7

BLUEJACKET PUBLIC SCHOOLS

Billing Number: H7 ST1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 895493 1490 ORIGINAL  
Invoice Date: 12-01-13

Description	Monthly Charges	Prorated Charges/Credits	One-Time Charges/Credits	Taxes and Surcharges
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## Circuit Charges

Monthly, Prorated, and One-Time Charges/Credits for 12-01-13 thru 12-31-13

ADMINISTRATIVE EXPENSE FEE-DCS			\$8.28	
FEDERAL REGULATORY FEE-DCS			\$32.00	
PROPERTY TAX ALLOTMENT-DCS			\$38.04	
UNIVERSAL CONNECTIVITY-DCS			\$158.84	
Total Circuit Charges:	\$0.00	\$0.00	\$237.76	\$0.00
Total This Account:	\$0.00	\$0.00	\$237.76	\$0.00
Total Activity Charges, Taxes and Surcharges:	\$237.76			



Interstate Dedicated Private Line Service

# ACTIVITY REPORT

Page Number: 8

BLUEJACKET PUBLIC SCHOOLS

Billing Number: HZ ST 1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 8954931490 ORIGINAL  
Invoice Date: 12-01-13

Item No.	Description of Change	Monthly Charges	Prorated Charges	One-Time Charges
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REGULATORY/OTHER CHARGES  
ADMINISTRATIVE EXPENSE FEE

Circuit Number: ADMINISTRATIVE EXPENSE FEE-DCS

1	ADMINISTRATIVE EXPENSE FEE-DCS Adjustment			\$8.28
Total This Activity:			\$0.00	\$8.28
Total This Circuit:			\$0.00	\$8.28



Interstate Dedicated Private Line Service

# ACTIVITY REPORT

Page Number: 9

BLUEJACKET PUBLIC SCHOOLS

Billing Number: H7 ST1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 8954931490 ORIGINAL  
Invoice Date: 12-01-13

Item No.	Description of Change	Monthly Charges	Prorated Charges	One-Time Charges
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## REGULATORY/OTHER CHARGES

Circuit Number: FEDERAL REGULATORY FEE-DCS

### FEDERAL REGULATORY FEE

2	FEDERAL REGULATORY FEE-DCS Adjustment			\$32.60
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Total This Activity:

\$0.00

\$32.60

Total This Circuit:

\$0.00

\$32.60





Interstate Dedicated Private Line Service

# ACTIVITY REPORT

Page Number: 10

BLUEJACKET PUBLIC SCHOOLS

Billing Number: H7 ST 1894 01 001  
Account Number: 8002-784-2643  
Invoice Number: 8954931490 ORIGINAL  
Invoice Date: 12-01-13

Item No.	Description of Change	Monthly Charges	Prorated Charges	One-Time Charges
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REGULATORY/OTHER CHARGES  
PROPERTY TAX ALLOTMENT

Circuit Number: PROPERTY TAX ALLOTMENT-DCS

3	PROPERTY TAX ALLOTMENT-DCS Adjustment			\$38.04
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Total This Activity:

\$0.00

\$38.04

Total This Circuit:

\$0.00

\$38.04





at&t

Interstate Dedicated Private Line Service

ACTIVITY REPORT

Page Number: 11

BLUEJACKET PUBLIC SCHOOLS

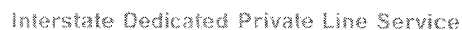
Billing Number: H7 ST1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 8954931490 ORIGINAL  
Invoice Date: 12-01-13

Item No.	Description of Change	Monthly Charges	Prorated Charges	One-Time Charges
----------	-----------------------	-----------------	------------------	------------------

REGULATORY/OTHER CHARGES  
UNIVERSAL CONNECTIVITY

Circuit Number: UNIVERSAL CONNECTIVITY-DCS

4	UNIVERSAL CONNECTIVITY CHARGE-DCS Adjustment			\$158.84
Total This Activity:			\$0.00	\$158.84
Total This Circuit:			\$0.00	\$158.84
Total All Circuits:			\$0.00	\$237.76
Total This Account:			\$0.00	\$237.76



## Page Number: 12

BLUEJACKET PUBLIC SCHOOLS

Billing Number: H7 ST1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 8954931450 ORIGINAL  
Invoice Date: 12-01-13

## Billing Details - Information Only

DIGITAL SERVICES VOLUME PRICING PLAN  
FOR MONTH BEGINNING DECEMBER 01, 2013  
PLAN ID: ST1894DSVPPCMG801

YOUR RATE STABILITY PLAN: ST1894DSVPPCMC801  
EXPIRES IN: FEBRUARY 2013  
CALL YOUR SALES REPRESENTATIVE TODAY OTHERWISE  
YOUR PLAN WILL CONVERT TO MONTHLY RATES





at&t

Interstate Dedicated Private Line Service

**BILLING DETAILS REPORT**

Page Number: 13

BLUEJACKET PUBLIC SCHOOLS

Billing Number: H7 ST1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 8954931490 ORIGINAL  
Invoice Date: 12-01-13

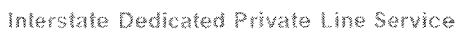
**Billing Details - Information Only**

DIGITAL SERVICES VOLUME PRICING PLAN  
FOR MONTH BEGINNING DECEMBER 01, 2013  
PLAN ID: SL189405VPPCM6801

CUSTOMER BILLING NUMBER  
H7 ST1894 01 001

CONTROL CIRCUIT: EGE0123456 ATI  
BILLING CYCLE: 31

MINIMUM MONTHLY REVENUE COMMITMENT: \$ 0.00  
TERM AGREEMENT PERIOD: 36 MONTHS  
TERM AGREEMENT RATE DATE: 02/12/10  
TERM AGREEMENT START DATE: 02/12/10



## Page Number: 14

BLUEJACKET PUBLIC SCHOOLS

Billing Number: H7 ST1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 8954931490 ORIGINAL  
Invoice Date: 12-01-13

## Billing Details - Information Only

DIGITAL SERVICES VOLUME PRICING PLAN  
FOR MONTH BEGINNING DECEMBER 01, 2013  
PLAN ID: ST1894D5VPPCMG801

CUSTOMER BILLING NUMBER  
H7 ST1894 01 001

CONTROL CIRCUIT: EDEC123456 ATT  
BILLING CYCLE: 31

CUSTOMER BILLING NUMBER	IDENTIFIER	MONTHLY CHARGE	DISCOUNT AMOUNT	NET MONTHLY CHARGE
<u>ACCOUNT 11.5 MBPS SERVICE</u>				
H7 51894 01 001	DHEC369338811ATI	\$ 1,326.00	\$ 1,326.00	\$ 0.00
	DHEC369338812ATI	\$ 1,326.00	\$ 1,326.00	\$ 0.00
	DHEC369338813ATI	\$ 1,326.00	\$ 1,326.00	\$ 0.00
	DHEC369338814ATI	\$ 1,326.00	\$ 1,326.00	\$ 0.00
SUBTOTALS		\$ 5,304.00	\$ 5,304.00	\$ 0.00
TOTAL SAVINGS FOR ACCOUNT 11.5 MBPS SERVICE			\$ 5,304.00	



Interstate Dedicated Private Line Service

## BILLING DETAILS REPORT

Page Number: 15

BLUEJACKET PUBLIC SCHOOLS

Billing Number: H7 ST1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 8954931490 ORIGINAL  
Invoice Date: 12-01-13

### Billing Details - Information Only

DIGITAL SERVICES VOLUME PRICING PLAN  
FOR MONTH BEGINNING DECEMBER 01, 2013  
PLAN ID: ST1894DSVPPCH001

CUSTOMER BILLING NUMBER  
H7 ST1894 01 001

CONTROL CIRCUIT: EQEC123456 ATI  
BILLING CYCLE: 31

CUSTOMER BILLING NUMBER	IDENTIFIER	MONTHLY CHARGE	DISCOUNT AMOUNT	NET MONTHLY CHARGE
ACCOUNT T1.5 MBPS SERVICE ACCESS				
H7 ST1894 01 001	DHEC369358811ATI	\$ 671.27	\$ 436.40	\$ 234.87
	DHEC369358812ATI	\$ 671.27	\$ 436.40	\$ 234.87
	DHEC369358813ATI	\$ 671.27	\$ 436.40	\$ 234.87
	DHEC369358814ATI	\$ 671.27	\$ 436.40	\$ 234.87
SUBTOTAL C		\$ 2,685.08	\$ 1,745.60	\$ 939.48
TOTAL SAVINGS FOR ACCOUNT T1.5 MBPS SERVICE ACCESS		\$ 1,745.60		



Interstate Dedicated Private Line Service

## BILLING DETAILS REPORT

Page Number: 16 Last

BLUEJACKET PUBLIC SCHOOLS

Billing Number: H7 ST1894 01 001  
Account Number: 8002-784-2543  
Invoice Number: 8954931490 ORIGINAL  
Invoice Date: 12-01-13

### Billing Details - Information Only

DIGITAL SERVICES VOLUME PRICING PLAN  
FOR MONTH BEGINNING DECEMBER 01, 2013  
PLAN ID: ST1894DSVPPCMC801

CUSTOMER BILLING NUMBER  
H7 ST1894 01 001

CONTROL CIRCUIT: EQEC123456 ATI  
BILLING CYCLE: 31

#### GRAND TOTALS

MINIMUM MONTHLY REVENUE COMMITMENT: \$ 0.00  
TERM AGREEMENT PERIOD: 36 MONTHS  
TERM AGREEMENT RATE DATE: 02/12/10  
TERM AGREEMENT START DATE: 02/12/10

TYPE OF SERVICE	MONTHLY CHARGE	DISCOUNT AMOUNT	NET MONTHLY CHARGE
ACCOUNT 11.5 MBPS SERVICE	\$ 5,304.00	\$ 5,304.00	\$ 0.00
ACCOUNT 11.5 MBPS SERVICE ACCESS	\$ 2,685.08	\$ 1,745.60	\$ 939.48
TOTAL CHARGES:	\$ 7,989.08	\$ 7,049.60	\$ 939.48
MINIMUM MONTHLY COMMITMENT:	\$ 0.00		
INCREMENTAL CHARGE:	\$ 0.00		
TOTAL SAVINGS:		\$ 7,049.60	



## **Meet Point Networks, LLC**

P.O. Box 339  
Bixby, OK 74008  
[www.meetpointnetworks.com](http://www.meetpointnetworks.com)

11/6/2013

Bluejacket  
Post Office Box 29  
Bluejacket, OK 74333

To whom it may concern,

In the following pages you will find a proposal for services prepared by Meet Point Networks, LLC for Bluejacket. The proposal is in response to the district's posted ERate form 470. The proposal is for a Internet Access circuit.

Page 1 : Proposal of Services  
Pages 2 - 4 : Pre-signed Service Agreement

We hope that you will take the time to consider our proposal. If the district finds the quote acceptable please sign and return (fax or email).

Please do not hesitate to contact us with any and all questions.

Mike Pennell  
President  
[mpennell@meetpointnetworks.com](mailto:mpennell@meetpointnetworks.com)  
Phone : 918-633-6896  
Fax : 918-512-4400





**Meet Point Networks, LLC**  
P.O. Box 339  
Bixby, OK 74008

Voice 918-633-6896 - Fax 918-512-4400 - Web [www.meetpointnetworks.com](http://www.meetpointnetworks.com)

**SPIN# 143035519**

## **Customer Service Proposal**

Proposal Date : November 6, 2013

Proposal # 157

### **Customer Information**

#### **Bluejacket**

Post Office Box 29  
Bluejacket OK 74333

Meet Point Networks Rep  
Mike Pennell (918)633-6896

Summary of Proposed Services : 20 and 50Mb Internet Access Circuit Quotes - Including Internet maintenance provided by NewNet 66.

*\*\*Any estimates, in this proposal, based on funding from the Oklahoma Universal Service Fund are subject to application and approval by the Oklahoma Corporation Commission and any difference in actual OUSF funding and the monthly recurring charges shall be the responsibility of the customer.*

### **Proposed Services and Terms**

**\*\*Taxes and Fees not Included**

Service Description			Type	Qty	Term	Monthly	Annual	One Time
1	20 Mb	Internet Bandwidth	New	1	60	\$8,252.50	\$99,030.00	\$39,005.00
2	50 Mb	Internet Bandwidth	New	1	60	\$8,552.50	\$102,630.00	\$39,005.00

Internet Maintenance is provided by NewNet 66 and is included in the pricing above.

Internet Maintenance includes:

24 x 7 Internet Access Troubleshooting & Repair

On site visits to restore Internet Access, if necessary

Unlimited Email / 5Gb Web Hosting

For more information please visit NewNet 66's description of services overview at [www.newnet66.org](http://www.newnet66.org)



Meet Point Networks, LLC  
P.O. Box 339  
Bixby, OK 74008

Voice 918-633-6896 - Fax 918-512-4400 - Web [www.meetpointnetworks.com](http://www.meetpointnetworks.com)

## Meet Point Networks Service Agreement

10/7/2013

SPIN# 143035519

### Bluejacket

Post Office Box 29  
Bluejacket OK 74333

**Proposed Services :** Please select desired service by checking a box below.

Service Description	Type	Qty	Term	Monthly	Annual	One Time
<input type="checkbox"/> 20 Mb Internet Bandwidth	New	1	60	\$8,252.50	\$99,030.00	\$39,005.00
<input type="checkbox"/> 50 Mb Internet Bandwidth	New	1	60	\$8,552.50	\$102,630.00	\$39,005.00
<input type="checkbox"/>						

By signing this Service Agreement, you represent that you are the authorized Customer representative and the above information is true and correct and you accept this Agreement. Both parties agree that each party may use electronic signatures to sign this Service Agreement.

Meet Point Networks may withdraw the proposal at any time prior to Customer signature. If within (30) days after Customer signature, Meet Point Networks determines that customer location is not serviceable under Meet Point Networks normal installation guidelines, Meet Point Networks may withdraw this Service Agreement without liability.

Customer Authorized Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Print

\_\_\_\_\_  
Title or Position

\_\_\_\_\_  
Date

Meet Point Networks Authorized Signature

*Mike Pennell*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Mike Pennell

\_\_\_\_\_  
Print

\_\_\_\_\_  
President

\_\_\_\_\_  
Title or Position

11/6/2013

\_\_\_\_\_  
Date



**Meet Point Networks, LLC**  
P.O. Box 339  
Bixby, OK 74008

Voice 918-633-6896 - Fax 918-512-4400 - Web [www.meetpointnetworks.com](http://www.meetpointnetworks.com)

## **Terms and Conditions**

**OUSF - Any estimates in this bid based on funding from the Oklahoma Universal Service Fund are subject to application and approval by the Oklahoma Corporation Commission and any difference in actual OUSF funding and the monthly recurring charges shall be the responsibility of the customer.**

**E-Rate Customers - During the term of this contract, the applicant may choose any of the above service levels and upgrade to those levels upon written notice to Meet Point Networks. Meet Point Networks will determine the turn up time after the customer initiates the process.**

**The pricing is based upon a 60 month term. This contract represents a 12 month term with the option to renew four consecutive 12 month terms.**

**1. Tariffs/Service Guide** If Customer is purchasing any Services that are regulated by the FCC or any state regulatory body ("Regulated Services"), then Customer's use of such Regulated Services is subject to the regulations of the FCC and the regulatory body of the state in which the Customer location receiving these Regulated Services is located (which regulations are subject to change), as well as the rates, terms, and conditions contained in tariffs on file with state and federal regulatory authorities. Termination fees include, but are not limited to, nonrecurring charges, charges paid to third parties on behalf of Customer, and the monthly recurring charges for the balance of the Term.

**2. Service Start Date and Term** This Agreement shall be effective upon execution by the parties. The "Initial Term" shall begin upon installation of Service and shall continue for the applicable Term commitment set forth on the Cover Page; provided that if Customer delays installation or is not ready to receive Services on the agreed-upon installation date, Meet Point Networks may begin billing for Services on the date Services would have been installed. Meet Point Networks shall use reasonable efforts to make the Services available by the requested service date. Meet Point Networks shall not be liable for damages resulting from delays in meeting service dates due to construction delays or reasons beyond its control. If Customer delays installation for a period of three (3) months or longer after the parties' execution of this Agreement, Meet Point Networks reserves the right to terminate this Agreement immediately at any time thereafter and Customer shall be responsible for the full amount of construction costs and any other related costs incurred by Meet Point Networks as of the date of termination. AFTER THE INITIAL TERM, THIS AGREEMENT SHALL AUTOMATICALLY RENEW FOR ONE (1) YEAR TERMS (EACH AN "EXTENDED TERM") UNLESS A PARTY GIVES THE OTHER PARTY WRITTEN TERMINATION NOTICE AT LEAST THIRTY (30) DAYS PRIOR TO THE EXPIRATION OF THE INITIAL TERM OR THEN CURRENT EXTENDED TERM. "Term" shall mean the Initial Term and Extended Term (s), if any. Meet Point Networks reserves the right to increase rates for all Services by no more than ten percent (10%) during any Extended Term by providing Customer with at least sixty (60) days written notice of such rate increase. For the avoidance of doubt, promotional rates and promotional discounts provided to Customer will expire at the end of the Initial Term or earlier as set forth in the promotion language. Customer's payment for Service after notice of a rate increase will be deemed to be Customer's acceptance of the new rate.

**3. Termination** Customer may terminate any Service before the end of the Term selected by Customer on the Cover Page; provided, however, if Customer terminates any such Service before the end of the Term (except for breach by Meet Point Networks), unless otherwise expressly stated in the General Terms, Customer will be obligated to pay a termination fee equal to the nonrecurring charges (if unpaid) and 100% of the monthly recurring charges for the terminated Service(s) multiplied by the number of full months remaining in the Term. This provision survives termination of the Agreement. If Meet Point Networks is delivering Services via wireless network facilities and there is signal interference with any such Service(s), Meet Point Networks may terminate this Agreement without liability if Meet Point Networks cannot resolve the interference by using commercially reasonable efforts.

**4. Payment** Customer shall pay for all monthly Service charges, plus one- time activation and set up, and/or construction charges. Unless stated otherwise herein, monthly charges for Services shall begin upon installation of Service, and installation charges, if any, shall be due upon completion of installation. Any amount not received by the due date shown on the applicable invoice will be subject to interest or a late charge no greater than the maximum rate allowed by law. Customer acknowledges and agrees that if Customer fails to pay any amounts when due and fails to cure



**Meet Point Networks, LLC**

P.O. Box 339

Bixby, OK 74008

Voice 918-633-6896 - Fax 918-512-4400 - Web [www.meetpointnetworks.com](http://www.meetpointnetworks.com)

such non-payment upon receipt of written notice of non-payment from Meet Point Networks, Customer will be deemed to have terminated this Agreement and will be obligated to pay the termination fee described in Section 5, above. If applicable to the Service, Customer shall pay sales, use, gross receipts, and excise taxes, access fees and all other fees, universal service fund assessments, bypass or other local, state and Federal taxes or charges, and deposits, imposed on the use of the Services. Taxes will be separately stated on Customer's invoice. No interest will be paid on deposits unless required by law.

**5. Service and Installation** Meet Point Networks shall provide Customer with the Services identified on the Cover Page and may provide related facilities and equipment, the ownership of which shall be retained by Meet Point Networks (the "Meet Point Networks Equipment"), or for certain Services, Customer, may purchase equipment from Meet Point Networks ("Customer Purchased Equipment"). Customer is responsible for damage to any facilities or equipment installed or provided by Meet Point Networks (the "Meet Point Networks Equipment"). Customer may use the Services for any lawful purpose, provided that such purpose (a) does not interfere or impair the Meet Point Networks network or Meet Point Networks Equipment and (b) complies with the AUP. Customer shall use the Meet Point Networks Equipment only for the purpose of receiving the Services. Customer shall use Customer Purchased Equipment in accordance with the terms of the related equipment purchase agreement. Unless provided otherwise herein, Meet Point Networks shall use commercially reasonable efforts to maintain the Services in accordance with applicable performance standards.

**Contract is subject to availability of facilities and construction charges.**

**6. General Terms** The General Terms are hereby incorporated into this Agreement by reference. Meet Point Networks, in its sole discretion, may modify, supplement or remove any of the General Terms from time to time, without additional notice to Customer, and any such changes will be effective upon Meet Point Networks publishing such changes on the Meet Point Networks web site. BY EXECUTING THIS AGREEMENT AND/OR USING OR PAYING FOR THE SERVICES, CUSTOMER ACKNOWLEDGES THAT IT HAS READ, UNDERSTOOD, AND AGREED TO BE BOUND BY THE GENERAL TERMS.

**7. LIMITATION OF LIABILITY** MEET POINT NETWORKS AND/OR ITS AGENTS SHALL NOT BE LIABLE FOR DAMAGES FOR FAILURE TO FURNISH OR INTERRUPTION OF ANY SERVICES, NOR SHALL MEET POINT NETWORKS OR ITS AGENTS BE RESPONSIBLE FOR FAILURE OR ERRORS IN SIGNAL TRANSMISSION, LOST DATA, FILES OR SOFTWARE DAMAGE REGARDLESS OF THE CAUSE. MEET POINT NETWORKS SHALL NOT BE LIABLE FOR DAMAGE TO PROPERTY OR FOR INJURY TO ANY PERSON ARISING FROM THE INSTALLATION OR REMOVAL OF EQUIPMENT UNLESS CAUSED BY THE NEGLIGENCE OF MEET POINT NETWORKS. UNDER NO CIRCUMSTANCES WILL MEET POINT NETWORKS BE LIABLE FOR ANY INDIRECT, INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES, INCLUDING LOST PROFITS, ARISING FROM THIS AGREEMENT OR ITS PROVISION OF THE SERVICES.

**8. WARRANTIES** EXCEPT AS PROVIDED HEREIN, THERE ARE NO OTHER AGREEMENTS, WARRANTIES OR REPRESENTATIONS, EXPRESS OR IMPLIED, EITHER IN FACT OR BY OPERATION OF LAW, STATUTORY OR OTHERWISE, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, RELATING TO THE SERVICES. SERVICES PROVIDED ARE A BEST EFFORTS SERVICE AND MEET POINT NETWORKS DOES NOT WARRANT THAT THE SERVICES, EQUIPMENT OR SOFTWARE SHALL BE ERROR-FREE OR WITHOUT INTERRUPTION. INTERNET SPEEDS WILL VARY. MEET POINT NETWORKS MAKES NO WARRANTY AS TO TRANSMISSION OR UPSTREAM OR DOWNSTREAM SPEEDS OF THE NETWORK.

**9. Public Performance.** If Customer engages in a public performance of any copyrighted material contained in any of the Services, Customer, and not Meet Point Networks, shall be responsible for obtaining any public performing licenses at Customer's expense.

E-Rate Funding Year 2014



SPIN 143015254  
FCC RN 001199307  
MTM – INTERNET ACCESS  
(Month to Month service -- no contract needed)

BLUE JACKET ISD

Proposal Contingent upon E-Rate Funding

Internet Access Service	Monthly\$	Annual\$
15mb	\$1,477	\$17,724
20mb	\$1,502	\$18,024
50mb	\$1,639	\$19,668

\*Note: This is part fiber and wireless.

OneNet Internet service provides the connection from your location to our hub site. As part of our standard package OneNet Internet service customers receive: unlimited email services, web hosting, Quality of Service, DNS, unlimited video conferencing and related technical support. *There is no reduction in cost if customer does not utilize any component of the standard package.*

Customer Provided Router

- 15-50mb will require router with 2 Fast Ethernet Interfaces; one interface for internet connection and one for LAN

Options

- OneNet Provided Router (ERate Priority One On-Premise Equipment)

\$89 per month for Juniper SRX220. The router shall remain the property of OneNet, therefore OneNet reserves the right to use for other customers. Maintenance of router will be OneNet's responsibility. Customer's local network will not be dependent on the OneNet provided router. (Not Oklahoma Universal Service Fund eligible, customer will pay their percentage after ERate discount.)

- Content Filtering pricing is available upon request. (Not ERate eligible service)

**Proposed By:**

**Accepted By:**

A handwritten signature in dark ink, appearing to read "Ami Layman".

Ami Layman

Assistant Director of Administration  
OneNet  
PO Box 108800  
Oklahoma City, OK 73101-8800  
(888) 566-3638

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

**If you select OneNet as your provider, please sign and date this with your allowable contract date based on your 470 posting. THIS IS FOR YOUR ERATE RECORDS and Item 21 Attachment.  
Please contact OneNet when you are ready to order services.**

## Fiber Circuit -DIA-IMS QUOTE

11/5/2013



**Customer Name:** Bluejacket ISD I020  
3rd & Center St.  
Bluejacket, OK 74333

212 South Main, Grove OK 74344  
918-787-9316 or 877-787-9316

Service	QTY	UOM	Term	Location A	Location Z	MRC*	NRC**
Fiber Circuit and Transport to Bluejacket ISD	2	Strands	5 Year	Vinita Router	276 NE 3rd Bluejacket, OK	\$5,786.00	\$0.00
Service	QTY	UOM	Term	DIA Unit Price	IMS MRC	Total MRC	NRC
DIA and IMS	10	Mbps	5 Year	\$100.00	\$150.00	\$1,150.00	N/A

The above quote is for 10Mb dedicated fiber internet circuit and internet maintenance with transport from the RECtec router to "Z Location" demarc. Quote also includes email account setup, domain registration, DNS and internet maintenance and equipment necessary to provide circuit.

Bluejacket School should anticipate to receive 100% funding for this service based on 80% E-rate funding and 20% funding provided from OUSF based on 6 buildings with classrooms.

The above quoted services does not include applicable taxes or other fees imposed by regulators

RECtec Confidential and Proprietary

### Customer Acceptance:

Please check the services and list quantity of accepted services quoted above.

FMF Circuit \_\_\_\_\_

DIA/IMS \_\_\_\_\_ Quantity \_\_\_\_\_

**Quoted by:** Shelly Allensworth

**Date:** 11/5/2013

**Accepted by:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Exhibit 3: 471 Application**

FCC Form 471

Approval by OMB  
3060-0806**Schools and Libraries Universal Service  
Description of Services Ordered and Certification Form 471****Estimated Average Burden Hours per Response: 4 hours**

This form is designed to help schools and libraries to list the eligible services they have ordered and estimate the annual charges for them so that the Fund Administrator can set aside sufficient support to reimburse providers for services.

**Please read instructions before beginning this application. (You can also file online at [www.usac.org/sl](http://www.usac.org/sl).)****The instructions include information on the deadlines for filing this application.**

Applicant's Form Identifier (Create an identifier for your own reference)  Bluejacket Y17	Form 471 Application #:  944742 (To be assigned by administrator)				
<b>Block 1: Billed Entity Address and Identifications</b>					
<div style="border: 1px solid black; padding: 5px;"><p><b>1</b> Name of Billed Entity BLUEJACKET PUBLIC SCHOOLS</p><p><b>2</b> Funding Year 2014</p><p><b>3a</b> Entity Number 140130</p><p><b>3b</b> FCC Registration Number 0012002242</p><p><b>4a</b> Street Address, P.O. Box, or Route Number PO BOX 29</p><p>City BLUEJACKET State OK Zip Code 74333-</p><p><b>4b</b> Telephone Number (918) 784-2365</p><p><b>4c</b> Fax Number (918) 784-2130</p><p><b>5a</b> Type of Application (check only one)</p><p><input type="radio"/> Individual School (individual public or non-public school)</p><p><input checked="" type="radio"/> School District (LEA; public or non-public [e.g. diocesan] local district representing multiple schools)</p><p><input type="radio"/> Library (including library system, library outlet/branch or library consortium as defined under LSTA)</p><p><input type="radio"/> Consortium (intermediate service agencies, states, state networks, special consortia of schools and/or libraries)</p><p><input type="radio"/> Statewide application for (enter 2-letter state code) representing (check all that apply)</p><p><input type="checkbox"/> All public schools/districts in the state</p><p><input type="checkbox"/> All non-public schools in the state</p><p><input type="checkbox"/> All libraries in the state</p><p><b>5b</b> Recipient(s) of Services:</p><p><input type="checkbox"/> Private <input checked="" type="checkbox"/> Public <input type="checkbox"/> Charter</p><p><input type="checkbox"/> Tribal <input type="checkbox"/> Head Start <input type="checkbox"/> State Agency</p></div>					
<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td style="width: 50%;"><b>Entity Number: 140130</b></td><td style="width: 50%;"><b>Applicant's Form Identifier: Bluejacket Y17</b></td></tr><tr><td><b>Contact Person: Karla Hall or Chris Webber</b></td><td><b>Contact Phone Number: (918) 445-0048</b></td></tr></table>		<b>Entity Number: 140130</b>	<b>Applicant's Form Identifier: Bluejacket Y17</b>	<b>Contact Person: Karla Hall or Chris Webber</b>	<b>Contact Phone Number: (918) 445-0048</b>
<b>Entity Number: 140130</b>	<b>Applicant's Form Identifier: Bluejacket Y17</b>				
<b>Contact Person: Karla Hall or Chris Webber</b>	<b>Contact Phone Number: (918) 445-0048</b>				
<b>Block 1: Billed Entity Address and Identifications (continued)</b>					
<div style="border: 1px solid black; padding: 5px;"><p><b>6a</b> Contact Person's Name Karla Hall or Chris Webber</p><p>If the Contact Person's Street Address is the same as <b>Item 4</b> above, check here. <input type="checkbox"/> If not, complete Item 6b.</p><p><b>6b</b> Street Address, P.O. Box, or Route Number NOTE: USAC will use this address to mail correspondence about this form. PO Box 701713</p><p>City Tulsa State OK Zip Code 74170-1713</p><p>Check the box next to your preferred mode of contact and provide your contact information. One box <b>MUST</b> be checked and an entry provided.</p><p><input type="checkbox"/> <b>6c</b> Telephone Number (918) 445 - 0048</p><p><input type="checkbox"/> <b>6d</b> Fax Number (918) 445 - 0049</p><p><input checked="" type="checkbox"/> <b>6e</b> E-Mail Address <a href="mailto:info@crwconsulting.com">info@crwconsulting.com</a></p><p>Re-enter E-mail Address <a href="mailto:info@crwconsulting.com">info@crwconsulting.com</a></p><p><b>6f</b> Holiday/vacation/summer contact information: please include name of alternate contact (if applicable) and alternate phone, fax or E-mail address</p><p><b>If a consultant is assisting you with your application process, please complete Item 6g below:</b></p><p><b>6g</b> Consultant Name Karla Hall Name of Consultant's Employer CRW Consulting Consultant's Street Address CRW Consulting PO Box 701713 City Tulsa State OK Zip Code 74170 Consultant's Telephone Number (918) 445-0048 Ext. Consultant's Fax Number (918) 445-0049 Consultant's E-mail Address <a href="mailto:info@crwconsulting.com">info@crwconsulting.com</a> Re-enter E-mail Address <a href="mailto:info@crwconsulting.com">info@crwconsulting.com</a> Consultant Registration Number 16024800</p></div>					
<b>Blocks 2 and 3 [Reserved]</b>					



<b>Entity Number: 140130</b>										<b>Applicant's Form Identifier: Bluejacket Y17</b>				
<b>Contact Person: Karla Hall or Chris Webber</b>										<b>Contact Phone Number: (918) 445-0048</b>				
<b>Block 4: Discount Calculation Worksheet</b>										<b>Worksheet - 1629394 Page 1 of 1</b>				
<p>The Block 4 worksheet is used to calculate your discount for services. You will complete one or more worksheets depending on the type of application you are filing. If you file more than one worksheet, please number the completed worksheets to assure that they are all processed correctly. Please refer to the instructions for information specific to the Type of Application you indicated in Block 1, Item 5.</p> <p><input type="checkbox"/> Check here if this worksheet contains all eligible entities in the school district or library system.</p>														
9a List entities and calculate discount(s):										(For Administrator's Use)				
<b>School District or Library System Name:</b>										<b>School District or Library System Entity Number:</b>				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Name of Eligible Entity	Entity Number AND NCES Code (for Schools) or FSCS Code (for Libraries)	Urban or Rural U or R	Total Number of Students	Number of Students Eligible for NSLP	Percent of Students Eligible for NSLP (Col. 5 / Col. 4)	Disc. from Disc. Matrix	New Construction	Admin Entity or NIF	Alt Disc Mech	Weighted Product for Calculating Shared Discount (Col. 4 x Col. 7)	Insert appropriate codes(s): P= pre-K, H= Head Start, A= Adult Education, J= Juvenile Justice, E= ESA, D= Dormitory	Entity Number of School District in which Library Outlet/Branch is Located	Discount of Member Entity	Shared Discount
ALL ENTITIES			SCHOOLS AND LIBRARIES							Schools with shared services	Schools	Library Outlet/Branch	Consortia	
BLUEJACKET ELEMENTARY SCHOOL	84770 40 04830 00164	R	76	54	71.053%	80	N	N	N	6080	P			
BLUEJACKET MIDDLE SCHOOL	203701 40 04830 2082	R	54	37	68.519%	80	N	N	N	4320				
BLUEJACKET HIGH SCHOOL	203702 40 04830 165	R	63	44	69.841%	80	N	N	N	5040				
BLUEJACKET CENTRAL OFFICE	16065733	R	0	0	0.000%	80	N	N	N	0				
BLUEJACKET GYMNASIUM	16065734	R	210	141	67.143%	80	N	N	N	16800				
BLUEJACKET VO-AG BUILDING	16065735	R	51	34	66.667%	80	N	N	N	4080				
BLUEJACKET CAFETERIA	16065736	R	0	0	0.000%	80	N	N	N	0				
P E FACILITY	16075314	R	0	0	0.000%	80	N	N	N	0				
9b Shared Services														
SCHOOL DISTRICTS: (Including groups of schools within school districts.) Calculate the totals of Columns 4 and 11. Divide the total of Column 11 by the total of Column 4. Enter the result in Column 15.			454							36320				80%
LIBRARY SYSTEMS: Calculate the total of Column 7. Divide this total by the number of outlets/branches. Enter the result in Column 15.														
CONSORTIA: Calculate the total of Column 14. Divide this total by the number of member entities. Enter the result in Column 15.														

<b>Entity Number: 140130</b>		<b>Applicant's Form Identifier: Bluejacket Y17</b>																												
<b>Contact Person: Karla Hall or Chris Webber</b>		<b>Contact Phone Number: (918) 445-0048</b>																												
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**Block 5 (Continued):**

**24 Description of Broadband and other Connectivity Services Ordered for Schools and Libraries from this funding request**

Complete the information below for this funding request only if requesting **Telecommunications Services** or **Internet Access** for the purpose of providing broadband and other types of connectivity to school and/or library facilities.

☐ Check this box if this request is for services or equipment that do not provide broadband or connectivity. For instance, check the box if this funding request is for internal connections, basic maintenance, or requests for services like e-mail or phone service.

**a** Which technology(ies) and speed(s) are being provided in this Funding Request? Please list the number of lines and average download speed for the lines included in this funding request. If there are multiple download speeds for the lines within one type of broadband connection, this form provides two additional lines per broadband connection category. If you need additional space, please make copies of this page and number the completed pages to assure that they are all processed correctly. A response to this Item is not a substitute for a complete response to Item 21 but should be consistent with the description of services in the response to Item 21. Please ask your service provider if you need assistance.

Type of Connection	Number of lines included in this FRN	Download speed per line in Mbps
Fiber optic/OC-x	1	6

**b** If the Internet service is available to students or patrons in more than just a single location or office, please indicate:

1. If the access is provided by wired connections, approximately what percentage of the school classroom or public library rooms included in the Block 4 worksheet for this FRN will have access to wired drops? 100 %
2. If the access is provided by Wi-Fi connections, approximately what percentage of the school classroom or public library rooms included in the Block 4 worksheet for this FRN will have access to a Wi-Fi signal? 100 %

**c** For consortia and statewide applications, do the connections in this FRN include the last mile connection to the school or library? ☐ Yes ☐ No  
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Type of Connection	Number of lines included in this FRN	Download speed per line in Mbps

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<b>13 SPIN – Service Provider Identification Number</b> 143011191								
<b>14 Service Provider Name</b>  U.S. Cellular								
<b>15a</b> <input checked="" type="checkbox"/> Check this box if this Funding Request is for non-contracted tariffed or month-to-month services.								
<b>15b Contract Number</b>  MTM								
<b>15c</b> <input type="checkbox"/> Check this box if this Funding Request is covered under a master contract (a contract negotiated by a third party, the terms and conditions of which are then made available to an eligible entity that purchases directly from the service provider).								
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<b>18 Contract Award Date (mm/dd/yyyy)</b>								
<b>19 Service Start Date (mm/dd/yyyy)</b> 07/01/2014								
<b>20a Service End Date (mm/dd/yyyy)</b> 06/30/2015								
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Entity Number: 140130	Applicant's Form Identifier: Bluejacket Y17
Contact Person: Karla Hall or Chris Webber	Contact Phone Number: (918) 445-0048

  
**Block 5 (Continued):**  
**24 Description of Broadband and other Connectivity Services Ordered for Schools and Libraries from this funding request**

Complete the information below for this funding request only if requesting **Telecommunications Services** or **Internet Access** for the purpose of providing broadband and other types of connectivity to school and/or library facilities.

☐ Check this box if this request is for services or equipment that do not provide broadband or connectivity. For instance, check the box if this funding request is for internal connections, basic maintenance, or requests for services like e-mail or phone service.

**a** Which technology(ies) and speed(s) are being provided in this Funding Request? Please list the number of lines and average download speed for the lines included in this funding request. If there are multiple download speeds for the lines within one type of broadband connection, this form provides two additional lines per broadband connection category. If you need additional space, please make copies of this page and number the completed pages to assure that they are all processed correctly. A response to this Item is not a substitute for a complete response to Item 21 but should be consistent with the description of services in the response to Item 21. Please ask your service provider if you need assistance.

Type of Connection	Number of lines included in this FRN	Download speed per line in Mbps
Cellular Wireless	2	1

**b** If the Internet service is available to students or patrons in more than just a single location or office, please indicate:

1. If the access is provided by wired connections, approximately what percentage of the school classroom or public library rooms included in the Block 4 worksheet for this FRN will have access to wired drops? 100 %
2. If the access is provided by Wi-Fi connections, approximately what percentage of the school classroom or public library rooms included in the Block 4 worksheet for this FRN will have access to a Wi-Fi signal? 100 %

**c** For consortia and statewide applications, do the connections in this FRN include the last mile connection to the school or library? ☐ Yes ☐ No  
If no above, are these connections only for backbone connections? ☐ Yes ☐ No

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Entity Number: 140130	Applicant's Form Identifier: Bluejacket Y17
Contact Person: Karla Hall or Chris Webber	Contact Phone Number: (918) 445-0048

**Block 5 (Continued):**

**24 Description of Broadband and other Connectivity Services Ordered for Schools and Libraries from this funding request**

Complete the information below for this funding request only if requesting **Telecommunications Services** or **Internet Access** for the purpose of providing broadband and other types of connectivity to school and/or library facilities.

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Type of Connection	Number of lines included in this FRN	Download speed per line in Mbps
Fiber optic/OC-x	1	50

**b** If the Internet service is available to students or patrons in more than just a single location or office, please indicate:

1. If the access is provided by wired connections, approximately what percentage of the school classroom or public library rooms included in the Block 4 worksheet for this FRN will have access to wired drops? 100 %
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**c** For consortia and statewide applications, do the connections in this FRN include the last mile connection to the school or library? ☐ Yes ☐ No  
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<b>12 Form 470 Application Number</b> 839690001150321																														
<b>13 SPIN – Service Provider Identification Number</b> 143002372																														
<b>14 Service Provider Name</b> Atlas Telephone Company, Inc.																														
<b>15a</b> <input checked="" type="checkbox"/> Check this box if this Funding Request is for non-contracted tariffed or month-to-month services.																														
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Entity Number: 140130	Applicant's Form Identifier: Bluejacket Y17
Contact Person: Karla Hall or Chris Webber	Contact Phone Number: (918) 445-0048

**Block 5 (Continued):**  
**24 Description of Broadband and other Connectivity Services Ordered for Schools and Libraries from this funding request**

Complete the information below for this funding request only if requesting **Telecommunications Services** or **Internet Access** for the purpose of providing broadband and other types of connectivity to school and/or library facilities.

☒ Check this box if this request is for services or equipment that do **not** provide broadband or connectivity. For instance, check the box if this funding request is for internal connections, basic maintenance, or requests for services like e-mail or phone service.

**a** Which technology(ies) and speed(s) are being provided in this Funding Request? Please list the number of lines and average download speed for the lines included in this funding request. If there are multiple download speeds for the lines within one type of broadband connection, this form provides two additional lines per broadband connection category. If you need additional space, please make copies of this page and number the completed pages to assure that they are all processed correctly. A response to this Item is not a substitute for a complete response to Item 21 but should be consistent with the description of services in the response to Item 21. Please ask your service provider if you need assistance.

Type of Connection	Number of lines included in this FRN	Download speed per line in Mbps

**b** If the Internet service is available to students or patrons in more than just a single location or office, please indicate:

1. If the access is provided by wired connections, approximately what percentage of the school classroom or public library rooms included in the Block 4 worksheet for this FRN will have access to wired drops? \_\_\_\_%
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**c** For consortia and statewide applications, do the connections in this FRN include the last mile connection to the school or library? ☐ Yes ☐ No  
If **no** above, are these connections only for backbone connections? ☐ Yes ☐ No

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<b>12 Form 470 Application Number</b> 753550001046837																																									
<b>13 SPIN – Service Provider Identification Number</b> 143027725																																									
<b>14 Service Provider Name</b> Gabbart Enterprises LLC																																									
<b>15a</b> <input type="checkbox"/> Check this box if this Funding Request is for non-contracted tariffed or month-to-month services.																																									
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Entity Number: 140130	Applicant's Form Identifier: Bluejacket Y17
Contact Person: Karla Hall or Chris Webber	Contact Phone Number: (918) 445-0048

**Block 5 (Continued):**  
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**c** For consortia and statewide applications, do the connections in this FRN include the last mile connection to the school or library? ☐ Yes ☐ No  
If **no** above, are these connections only for backbone connections? ☐ Yes ☐ No

<b>Entity Number:</b> 140130	<b>Applicant's Form Identifier:</b> Bluejacket Y17
<b>Contact Person:</b> Karla Hall or Chris Webber	<b>Contact Phone Number:</b> (918) 445-0048

**Block 6: Certifications and Signature**

25 ☒ I certify that the entities listed in Block 4 of this application are eligible for support because they are: (Check one or both.)

a ☒ schools under the statutory definitions of elementary and secondary schools found in the **No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38)**, that do not operate as for-profit businesses and do not have endowments exceeding \$50 million; and/or

b ☐ libraries or library consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools, including, but not limited to, elementary, secondary schools, colleges, or universities.

26 ☒ I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed on this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

<b>a</b> Total funding year pre-discount amount on this Form 471 (Add the entries from Items 23I on all Block 5 Discount Funding Requests.)	180815
<b>b</b> Total funding commitment request amount on this Form 471 (Add the entries from Items 23K on all Block 5 Discount Funding Requests.)	144652
<b>c</b> Total applicant non-discount share (Subtract Item 26b from Item 26a.)	36163
<b>d</b> Total budgeted amount allocated to resources not eligible for E-rate support	19800
<b>e</b> Total amount necessary for the applicant to pay the non-discount share of the services requested on this application AND to secure access to the resources necessary to make effective use of the discounts. (Add Items 26c and 26d.)	55963

**f** ☐ Check this box if you are receiving any of the funds in Item 26e directly from a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year, or if a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds in Item 26e.

27 ☐ I certify that, if required by Commission rules, all of the individual schools and libraries receiving services under this form are covered by technology plans that do or will cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body or an SLD-certified technology plan approver prior to the commencement of service.

Or ☒ I certify that no technology plan is required by Commission rules.

28 ☒ I certify that (if applicable) I posted my Form 470 and (if applicable) made any related RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology plan goals.

29 ☒ I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.

30 ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. §§ 54.500, 54.513. Additionally, I certify that the entity or entities listed on this application have not received anything of value or a promise of anything of value, other than services and equipment sought by means of this form, from the service provider, or any representative or agent thereof or any consultant in connection with this request for services.

31 ☒ I certify that I and the entity(ies) I represent have complied with all program rules, including recordkeeping requirements, and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. There are signed contracts covering all of the services listed on this Form 471 except for those services provided under non-contracted tariffed or month-to-month arrangements. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.

<b>Entity Number: 140130</b>	<b>Applicant's Form Identifier: Bluejacket Y17</b>
<b>Contact Person: Karla Hall or Chris Webber</b>	<b>Contact Phone Number: (918) 445-0048</b>

**Block 6: Certification and Signature (Continued)**

32 ☒ I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.

33 ☒ I certify that I will retain required documents for a period of at least five years (or whatever retention period is required by the rules in effect at the time of this certification) after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.

34 ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.

35 ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or the entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.

36 ☒ I certify that if any of the Funding Requests on this Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the eligible and ineligible components as required by the Commission's rules at 47 C.F.R. § 54.504(g)(1), (2).

37 ☒ I certify that this funding request does not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support more than twice every five funding years as required by the Commission's rules at 47 C.F.R. § 54.506(c).

38 ☒ I certify that the non-discount portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services featured on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

<b>39</b> Signature of authorized person <input type="checkbox"/>	<b>40</b> Date
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<b>41</b>	Printed name of authorized person	Chris Webber
<b>42</b>	Title or position of authorized person	Consultant
<input type="checkbox"/> Check here if the consultant in Item 6g is the Authorized Person.		
<b>43a</b>	Street Address, P.O. Box, or Route Number	
	PO Box 701713	
	City	Tulsa
	State	OK
	Zip Code	74170-1713

<b>Entity Number: 140130</b>		<b>Applicant's Form Identifier: Bluejacket Y17</b>	
<b>Contact Person: Karla Hall or Chris Webber</b>		<b>Contact Phone Number: (918) 445-0048</b>	
<b>43b</b>	Telephone Number of authorized Person	(918) 445-0048	Ext.
<b>43c</b>	Fax Number of Authorized Person	(918) 445-0049	
<b>43d</b>	E-mail Address of authorized Person	info@crwconsulting.com	
	Re-enter E-mail Address	info@crwconsulting.com	
<b>43e</b>	Name of Authorized Person's Employer	CRW Consulting	

**NOTICE:** Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator. 47 C.F.R. § 54.504(c). The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended. 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, or implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act, 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing, and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

**Please submit this form to:**  
**SLD-Form 471**  
**P.O. Box 7026**  
**Lawrence, Kansas 66044-7026**

**For express delivery services or U.S. Postal Service, Return Receipt Requested, mail this form to:**  
**SLD Forms**  
**ATTN: SLD Form 471**  
**3833 Greenway Drive**  
**Lawrence, Kansas 66046**  
**(888) 203-8100**

FCC Form 471 - December 2013



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**Exhibit 4:** Notification of Commitment Adjustment Letter

**Notification of Commitment Adjustment Letter**

**Funding Year 2014: July 1, 2014 - June 30, 2015**

May 20, 2016

Karla Hall or Chris Webber  
BLUEJACKET PUBLIC SCHOOLS  
PO Box 701713  
Tulsa, OK 74170 1713

Re: Form 471 Application Number:	944742
Funding Year:	2014
Applicant's Form Identifier:	Bluejacket Y17
Billed Entity Number:	140130
FCC Registration Number:	0012002242
SPIN:	143035519
Service Provider Name:	Meet Point Networks LLC
Service Provider Contact Person:	Beverley Fielding

Our routine review of Schools and Libraries Program (SLP) funding commitments has revealed certain applications where funds were committed in violation of SLP rules.

In order to be sure that no funds are used in violation of SLP rules, the Universal Service Administrative Company (USAC) must now adjust your overall funding commitment. The purpose of this letter is to make the required adjustments to your funding commitment, and to give you an opportunity to appeal this decision. USAC has determined the applicant is responsible for all or some of the violations. Therefore, the applicant is responsible to repay all or some of the funds disbursed in error (if any).

This is NOT a bill. If recovery of disbursed funds is required, the next step in the recovery process is for USAC to issue you a Demand Payment Letter. The balance of the debt will be due within 30 days of that letter. Failure to pay the debt within 30 days from the date of the Demand Payment Letter could result in interest, late payment fees, administrative charges and implementation of the "Red Light Rule." The FCC's Red Light Rule requires USAC to dismiss pending FCC Form 471 applications if the entity responsible for paying the outstanding debt has not paid the debt, or otherwise made satisfactory arrangements to pay the debt within 30 days of the notice provided by USAC. For more information on the Red Light Rule, please see <https://www.fcc.gov/encyclopedia/red-light-frequently-asked-questions>.

TO APPEAL THIS DECISION:

If you wish to appeal the Commitment Adjustment Decision indicated in this letter to USAC, your appeal must be received or postmarked within 60 days of the date of this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and email address (if available) for the person who can most readily discuss this appeal with us.
2. State outright that your letter is an appeal. Identify the date of the Notification of Commitment Adjustment Letter and the Funding Request Number(s) (FRNs) you are appealing. Your letter of appeal must include the
  - Billed Entity Name,
  - Form 471 Application Number,
  - Billed Entity Number, and
  - FCC Registration Number (FCC RN) from the top of your letter.
3. When explaining your appeal, copy the language or text from the Notification of Commitment Adjustment Letter that is the subject of your appeal to allow USAC to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep a copy of your entire appeal including any correspondence and documentation.
4. If you are an applicant, please provide a copy of your appeal to the service provider(s) affected by USAC's decision. If you are a service provider, please provide a copy of your appeal to the applicant(s) affected by USAC's decision.
5. Provide an authorized signature on your letter of appeal.

We strongly recommend that you use one of the electronic filing options. To submit your appeal to USAC by email, email your appeal to [appeals@sl.universalservice.org](mailto:appeals@sl.universalservice.org) or submit your appeal electronically by using the "Submit a Question" feature on the USAC website. USAC will automatically reply to incoming emails to confirm receipt.

To submit your appeal to us by fax, fax your appeal to (973) 599-6542.

To submit your appeal to us on paper, send your appeal to:

Letter of Appeal  
Schools and Libraries Program - Correspondence Unit  
30 Lanidex Plaza West  
PO Box 685  
Parsippany, NJ 07054-0685

For more information on submitting an appeal to USAC, see "Appeals" in the "Schools and Libraries" section of the USAC website.

## FUNDING COMMITMENT ADJUSTMENT REPORT

On the pages following this letter, we have provided a Funding Commitment Adjustment Report (Report) for the Form 471 application cited above. The enclosed Report includes the Funding Request Number(s) from your application for which adjustments are necessary. See the "Guide to USAC Letters" posted at <http://www.usac.org/sl/tools/samples.aspx> for more information on each of the fields in the Report. USAC is also sending this information to your service provider(s) for informational purposes. If USAC has determined the service provider is also responsible for any rule violation on the FRN(s), a separate letter will be sent to the service provider detailing the necessary service provider action.

Note that if the Funds Disbursed to Date amount is less than the Adjusted Funding Commitment amount, USAC will continue to process properly filed invoices up to the Adjusted Funding Commitment amount. Review the Funding Commitment Adjustment Explanation in the attached Report for an explanation of the reduction to the commitment(s). Please ensure that any invoices that you or your service provider(s) submits to USAC are consistent with SLP rules as indicated in the Funding Commitment Adjustment Explanation. If the Funds Disbursed to Date amount exceeds your Adjusted Funding Commitment amount, USAC will have to recover some or all of the disbursed funds. The Report explains the exact amount (if any) the applicant is responsible for repaying.

Schools and Libraries Program  
Universal Services Administrative Company

cc: Beverley Fielding  
Meet Point Networks LLC

**Funding Commitment Adjustment Report for  
Form 471 Application Number: 944742**

Funding Request Number:	2573035
Services Ordered:	INTERNET ACCESS
SPIN:	143035519
Service Provider Name:	Meet Point Networks LLC
Contract Number:	n/a
Billing Account Number:	
Site Identifier:	140130
Original Funding Commitment:	\$113,308.00
Commitment Adjustment Amount:	\$113,308.00
Adjusted Funding Commitment:	\$0.00
Funds Disbursed to Date	\$0.00
Funds to be Recovered from Applicant:	\$0.00
Funding Commitment Adjustment Explanation:	

After a thorough investigation, it has been determined that this funding commitment must be rescinded in full. Based on the documentation you provided during the Special Compliance Review, FY 2014 FRN 2573035 will be denied because you did not select the most cost-effective bid proposal. FCC rules state that in selecting a provider of eligible services, applicants must carefully consider all bids submitted and must select the most cost-effective service offering. In determining which service offering is the most cost-effective, entities may consider relevant factors other than the pre-discount prices submitted by providers, but price should be the primary factor considered. The FCC further codified in the Ysleta Order that in evaluating bids from prospective service providers, applicants must select the most cost-effective offering from the bids received. The selected bid must itself be cost-effective compared to prices available commercially and stated that there may be situation where the price of services is so exorbitant that it cannot, on its face, be cost-effective. For instance, a proposal to sell?at prices two to three times greater than the prices available from commercial vendors would not be cost-effective, absent extenuating circumstances. You posted requests for minimum 6 MBPS on FCC Form 470# 839690001150321 and the associated RFP. You received a bid from ATT offering these specific services at an amount of \$1,147.50 per month for T1 Circuit, a bid from Meetpoint offering these specific services at an amount of \$8,552 monthly/ one time charge of \$39,005 for 50 MBPS, a bid from OneNet offering these specific services at an amount of \$1,639 for 50 MBPS. All bids are for the specific services requested on the Form 470. You selected a bid from Meetpoint for an amount of \$8,552.50 monthly/ one time charge of \$39,005.00. The bid chosen is over three times more costly than the bid offering from OneNet and ATT. This violates the FCC requirement that applicants select the most cost-effective offering from the bids received absent extenuating circumstances. During the review you did not present extenuating circumstances which mitigates your choice of a bid over two to three times greater than the price available from another commercial vendor. Therefore, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds from the applicant.

**Exhibit 5: Administrator's Decision Letter**



Universal Service Administrative Company  
Schools & Libraries Division

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**Administrator's Decision on Appeal – Funding Year 2014-2015**

August 05, 2016

Chris Webber  
CRW Consulting  
PO Box 701713  
Tulsa, OK 74170-1713

Re: Applicant Name: BLUEJACKET PUBLIC SCHOOLS  
Billed Entity Number: 140130  
Form 471 Application Number: 944742  
Funding Request Number(s): 2573035  
Your Correspondence Dated: July 16, 2016

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2014 Notification of Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 2573035  
Decision on Appeal: **Denied**  
Explanation:

- During the appeal review of your FCC Form 471# 944742 you requested reversal of the COMAD decision to seek recovery of improperly disbursed funds. It has been determined that this funding commitment must be rescinded in full. Based on the documentation you provided, FY 2014 FRN 2573035 will be denied because you did not select the most cost-effective bid proposal. FCC rules state that in selecting a provider of eligible services, applicants must carefully consider all bids submitted and must select the most cost-effective service offering. In determining which service offering is the most cost-effective, entities may consider relevant factors other than the pre-discount prices submitted by providers, but price should be the primary factor considered. The FCC further codified in the Ysleta Order that in evaluating bids from prospective service providers, applicants must select the most cost-effective offering from the bids



received. The selected bid must itself be cost-effective compared to prices available commercially and stated that there may be situation where the price of services is so exorbitant that it cannot, on its face, be cost-effective. For instance, a proposal to sell at prices two to three times greater than the prices available from commercial vendors would not be cost-effective, absent extenuating circumstances. You posted requests for minimum 6 MBPS on FCC Form 470# 839690001150321 and the associated RFP. You received a bid from ATT offering these specific services at an amount of \$1,147.50 per month for T1 Circuit, a bid from Meetpoint offering these specific services at an amount of \$8,552 monthly/ one time charge of \$39,005 for 50 MBPS, a bid from OneNet offering these specific services at an amount of \$1,639 for 50 MBPS. All bids are for the specific services requested on the Form 470. You selected a bid from Meetpoint for an amount of \$8,552.50 monthly/ one time charge of \$39,005.00. The bid chosen is over three times more costly than the bid offering from OneNet and ATT. This violates the FCC requirement that applicants select the most cost-effective offering from the bids received absent extenuating circumstances. During the review you did not present extenuating circumstances which mitigates your choice of a bid over two to three times greater than the price available from another commercial vendor. Therefore, the commitment has been rescinded in full and USAC will seek recovery of any improperly disbursed funds. In your appeal, you did not demonstrate that USAC's determination was incorrect. Consequently, your appeal is denied.

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division  
Universal Service Administrative Company

## **Exhibit 6: Bid Evaluations Sheets**

**BID EVALUATION SHEET – Full**  
**Erate Year 2014**

1. **Service that is being evaluated:** Internet Access  
*Examples include: Internet access, local phone service, long distance service, cell phone service, wireless data plan service, WAN connectivity*
  2. **Company that has submitted bid:** RECtec
  3. **Service level from the bid that is being evaluated:** Internet Access - 10mb  
*Examples include: Internet access – 200 mb, local phone – 50 lines, cell phones – unlimited pooled minutes, wireless data plans – 500 Mb, WAN Connectivity – (5) 1 Gb circuits. You may have to determine per-unit pricing (cost per Mb, for example) to compare bids submitted from different companies at different service levels.*
  4. **Price that is being evaluated:** \$6936 per month NO one-time fee  
\$693.<sup>60</sup> per mb /per month
- POINTS MUST BE AWARDED IN ALL CATEGORIES. DO NOT WRITE “N/A” IN ANY CATEGORY.
  - DO NOT GIVE EQUAL POINTS FOR PRICE TO TWO VENDORS UNLESS THEY BID THE EXACT SAME SERVICE FOR THE EXACT SAME PRICE

Evaluation Factor	Maximum Points	Total Awarded Points
PRICE OF ELIGIBLE GOODS & SERVICES	25	18
SERVICE HISTORY	20	10
EXPERTISE OF COMPANY	20	15
UNDERSTANDING OF NEEDS/COMPLETENESS OF BIDS	20	20
LOCATION OF COMPANY	15	15
<b>TOTAL POINTS</b>	100	78

Bid Evaluated by (one person per sheet): Shellie Baker

Date: 1/8/14

Signature: Shellie Baker

# BID EVALUATION SHEET – Full

Erate Year 2014

1. Service that is being evaluated: Internet Access  
Examples include: Internet access, local phone service, long distance service, cell phone service, wireless data plan service, WAN connectivity
2. Company that has submitted bid: One Net
3. Service level from the bid that is being evaluated: Internet Access – 50mb  
Examples include: Internet access – 200 mb, local phone – 50 lines, cell phones – unlimited pooled minutes, wireless data plans – 500 Mb, WAN Connectivity – (5) 1 Gb circuits. You may have to determine per-unit pricing (cost per Mb, for example) to compare bids submitted from different companies at different service levels.
4. Price that is being evaluated: \$1639 per month NO one time fee  
\$32 per mb/permonth

- POINTS MUST BE AWARDED IN ALL CATEGORIES. DO NOT WRITE “N/A” IN ANY CATEGORY.
- DO NOT GIVE EQUAL POINTS FOR PRICE TO TWO VENDORS UNLESS THEY BID THE EXACT SAME SERVICE FOR THE EXACT SAME PRICE

Evaluation Factor	Maximum Points	Total Awarded Points
PRICE OF ELIGIBLE GOODS & SERVICES	25	25
SERVICE HISTORY	20	10
EXPERTISE OF COMPANY	20	15
UNDERSTANDING OF NEEDS/COMPLETENESS OF BIDS	20	18
LOCATION OF COMPANY	15	12
<b>TOTAL POINTS</b>	<b>100</b>	<b>80</b>

Bid Evaluated by (one person per sheet): Shellie Baker

Date: 1/8/14

Signature: Shellie Baker



# BID EVALUATION SHEET – Full

Erate Year 2014

1. Service that is being evaluated: Internet Access  
Examples include: Internet access, local phone service, long distance service, cell phone service, wireless data plan service, WAN connectivity
  2. Company that has submitted bid: Meet Point
  3. Service level from the bid that is being evaluated: Internet Access - 50mb  
Examples include: Internet access – 200 mb, local phone – 50 lines, cell phones – unlimited pooled minutes, wireless data plans – 500 Mb, WAN Connectivity – (5) 1 Gb circuits. You may have to determine per-unit pricing (cost per Mb, for example) to compare bids submitted from different companies at different service levels.
  4. Price that is being evaluated: \$8552.00 per month + one time fee  
\$171.05 per mb/per month \$39,005
- POINTS MUST BE AWARDED IN ALL CATEGORIES. DO NOT WRITE "N/A" IN ANY CATEGORY.
  - DO NOT GIVE EQUAL POINTS FOR PRICE TO TWO VENDORS UNLESS THEY BID THE EXACT SAME SERVICE FOR THE EXACT SAME PRICE

Evaluation Factor	Maximum Points	Total Awarded Points
PRICE OF ELIGIBLE GOODS & SERVICES	25	20
SERVICE HISTORY	20	20
EXPERTISE OF COMPANY	20	20
UNDERSTANDING OF NEEDS/COMPLETENESS OF BIDS	20	20
LOCATION OF COMPANY	15	15
TOTAL POINTS	100	95

Bid Evaluated by (one person per sheet): Shellie Baker

Date: 1/8/14

Signature: Shellie Baker

# BID EVALUATION SHEET – Full

Erate Year 2014

1. Service that is being evaluated: Internet Access  
Examples include: Internet access, local phone service, long distance service, cell phone service, wireless data plan service, WAN connectivity
  2. Company that has submitted bid: AT&T
  3. Service level from the bid that is being evaluated: Internet Access - 6mb  
Examples include: Internet access – 200 mb, local phone – 50 lines, cell phones – unlimited pooled minutes, wireless data plans – 500 Mb, WAN Connectivity – (5) 1 Gb circuits. You may have to determine per-unit pricing (cost per Mb, for example) to compare bids submitted from different companies at different service levels.
  4. Price that is being evaluated: \$2459.20 per month No one-time fee  
\$409.82 per mb/per month
- POINTS MUST BE AWARDED IN ALL CATEGORIES. DO NOT WRITE “N/A” IN ANY CATEGORY.
  - DO NOT GIVE EQUAL POINTS FOR PRICE TO TWO VENDORS UNLESS THEY BID THE EXACT SAME SERVICE FOR THE EXACT SAME PRICE

Evaluation Factor	Maximum Points	Total Awarded Points
PRICE OF ELIGIBLE GOODS & SERVICES	25	19
SERVICE HISTORY	20	5
EXPERTISE OF COMPANY	20	20
UNDERSTANDING OF NEEDS/COMPLETENESS OF BIDS	20	15
LOCATION OF COMPANY	15	5
TOTAL POINTS	100	64

Bid Evaluated by (one person per sheet): Shellie Baker

Date: 1/9/14

Signature: Shellie Baker